

## ANNEX

### a) List of the case files pending before the courts of law on 31 March 2016 in which CONPET S.A. is involved as defendant

#### 1. Case file no. 3715/105/2007 – Prahova Tribunal

**Parties:** Fondul Proprietatea S.A. – plaintiff

Conpet S.A. – defendant

**Object:** Fondul Proprietatea S.A. files an application initiating the proceedings, asking the court:

- to declare art. 4 of the decision of the Shareholders General Meeting of Conpet S.A. no. 2/25 April 2007 null and void
- to maintain at the Trade Register Office the decision which is to be delivered in the case herein, as well as to deregister from the Trade Register the possible mentions made based on the decision of the Shareholders General Meeting, which nullity we ask.
- to obligate the defendant to pay the court fees

**Specifications:** **Suspended** based on the provisions of art. 244 paragraph (1) of the Civil Procedure Code.

**Stage of the proceedings:** First instance

Probability to admit the action: 50%

#### 2. Case file no. 33317/3/2007–Bucharest Tribunal

**Case file no. 5555/2/2014 (former number format 2192/2014) – Bucharest Court of Appeal**

**Parties:** A.V.A.S. [*\*Authority for State Assets Recovery*] – plaintiff

Conpet S.A., Fondul Proprietatea S.A., Regisco S.A., Comisia Nationala a Valorilor Mobiliare [*\*National Commission for Transferable Securities*] – defendants

**Object:** A.V.A.S. files an action for the recovery of possession of 524,366 shares from the share capital of Conpet S.A. against Fondul Proprietatea S.A., Independent Register Regisco S.A., National Commission for Transferable Securities, Conpet S.A., by which asks the court:

- To obligate the defendant Fondul Proprietatea S.A. to leave in full property and possession of the Authority for State Assets Recovery a number of 524,366 shares from the share capital of Conpet S.A.
- To obligate the defendants Regisco, C.N.V.M. [*\*National Commission for Transferable Securities*] and Conpet S.A. to modify the number of shares in the records of transferable securities.

**Specifications:** During March – November 2008, the case file no. 33317/3/2007 was suspended, the court considering that its solution depends on the settlement of the issues regarding the territorial jurisdiction of the court in the case file no. 43918/3/2007.

On 13 May 2009, in the case file no. 33317/3/2007, the Bucharest Tribunal admitted the *lis pendens* exception, deciding to join and judge together the two cases pending before the court.

By the **sentence no. 3307/23 March 2011**, the Bucharest Tribunal rejects the claim against CNVM as being filed against a person lacking the capacity to be sued. Rejects the claim to obligate the defendant



Fondul Proprietatea SA to leave in full property and possession 524,366 shares, finding the force of *res judicata*. Rejects the claim to modify the number of shares in the records of transferable securities as became redundant. The decision was appealed by OPSPI [*Office of State Participation and Privatization in Industry*] and MECMA [*Ministry of Economy, Commerce and Business Environment*]. By the decision no. 460/20 October 2011, rejects the appeals as unfounded. The decision was challenged with second appeal by OPSPI and MECMA.

By the decision no. 2820/23 May 2013, the High Court of Cassation and Justice rejects the nullity exception in the second appeal filed by MECMA, currently the Ministry of Economy, called for by the respondent CNVM. Admits the second appeals filed by OPSPI and MECMA, currently the Ministry of Economy, against the decision no. 460 from 20 October 2011 of the Bucharest Court of Appeal – 6<sup>th</sup> Civil Division, which it amends, namely it admits the appeals filed by OPSPI and MECMA against the resolution from 23 February 2011 and the commercial sentence no. 3307 from 23 March 2011 of the Bucharest Tribunal – 6<sup>th</sup> Commercial Division. Dissolves the resolution and, partly, the sentence and refers the case back to the same court. Maintains the provisions in the sentence regarding the admission of the exception of lacking the capacity to be sued of CNVM (currently the Financial Supervisory Authority) and to the rejection of the action against it.

By the sentence no. 1296/19 March 2014, the Bucharest Tribunal rejects the claim as unfounded. The decision was appealed by MECMA.

By the **decision no. 118/30 January 2015**, the Bucharest Court of Appeal admits the appeal filed by the plaintiff-appellants DEPARTMENT FOR ENERGY WITHIN THE MINISTRY OF ECONOMY and the MINISTRY OF ECONOMY AS SUCCESSOR IN TITLE OF THE MINISTRY OF ECONOMY, COMMERCE AND BUSINESS ENVIRONMENT against the Civil Sentence no. 1296/19 March 2014, delivered by the Bucharest Tribunal – 6<sup>th</sup> Civil Division, in the case file no. 33317/3/2007 against the respondent-defendants Fondul Proprietatea SA, DEPOZITARUL CENTRAL SA, CONPET SA. Modifies the appealed sentence, namely: Rejects the exceptions, as unfounded. Admits the claim filed by the plaintiff-appellants DEPARTMENT FOR ENERGY WITHIN THE MINISTRY OF ECONOMY and the MINISTRY OF ECONOMY as successor in title of the Ministry of Economy, Commerce and Business Environment against the defendant Fondul Proprietatea SA. Establishes the ownership right of the plaintiff Ministry of Economy on 524,366 shares of Conpet SA. Obligates the defendants to take the necessary measures for the registration in the shareholders register. The Department for Energy within the Ministry of Economy and Fondul Proprietatea SA filed a second appeal.

By the **decision no. 802/19 April 2016**, the High Court of Cassation and Justice admits the second appeals filed by the plaintiff-appellant Ministry of Energy and the defendant-appellant S.C. FONDUL PROPRIETATEA S.A. against the civil decision no. 118/A from 30 January 2015, delivered by the Bucharest Court of Appeal – 6<sup>th</sup> Civil Division. Annuls the challenged decision and refers the case to the same court. Rejects the second appeal filed by the plaintiff-appellant Ministry of Energy against the resolution from 3 April 2015, delivered by the same court.

**Stage of the proceedings:** Appeal – retrial

**Hearing:** --

Probability to admit the action: 50%

### **3. Case file no. 43918/3/2007 – Bucharest Tribunal**

**Parties:** A.V.A.S. – plaintiff



Conpet S.A., Fondul Proprietatea S.A., Regisco S.A., National Commission for Transferable Securities – defendants

**Object:** action for the recovery of possession – leave, by Fondul Proprietatea S.A., in full property and possession of 524,366 shares from the share capital of Conpet S.A. and the modification of the number of shares in the records of transferable securities.

**Specifications:** During March – November 2008, the case file no. 33317/3/2007 was suspended, the court considering that its solution depends on the settlement of the issues regarding the territorial jurisdiction of the court in the case file no. 43918/3/2007.

On 13 May 2009, in the case file no. 33317/3/2007, the Bucharest Tribunal admitted the *lis pendens* exception, deciding to join and judge together the two cases pending before the court.

**Stage of the proceedings:** First instance

Probability to admit the action: 50%

#### 4. Case file no. 8296/281/2007 – Ploiesti Court

**Parties :** Cornea Rodica Aurora – plaintiff

Conpet S.A., Petrotrans S.A., Transgaz Bucharest Regional Branch, Ministry of Finances – defendants

**Object :** Cornea Rodica Aurora asks the court to jointly obligate the defendants to pay civil indemnities amounting 74,000 euro, representing the damage caused by the presence of some pipelines pertaining to the defendants in the undersoil which is the property of the plaintiff and to pay civil indemnities preliminarily evaluated at the amount of 10,000 lei for the period February 2004 – February 2006, as a result of using some pipelines which crossed over the plaintiff property.

**Specifications:** The case is **suspended** based on art. 36 of the Law no. 85/2006.

**Stage of the proceedings:** First instance

Probability to admit the action: 50%

#### 5. Case file no. 8297/281/2007 – Ploiesti Court

**Parties :** Rusu Mihaela – plaintiff

Conpet S.A., Petrotrans S.A., Transgaz Bucharest Regional Branch, Ministry of Finances – defendants

**Object :** Rusu Mihaela asks the court to jointly obligate the defendants to pay civil indemnities amounting 74,000 euro, representing the damage caused by the presence of some pipelines pertaining to the defendants in the undersoil which is the property of the plaintiff.

**Specifications:** The case is **suspended** based on art. 36 of the Law no. 85/2006.

**Stage of the proceedings:** First instance

Probability to admit the action: 50%

#### 6. Case file no. 2378/105/2009 – Prahova Tribunal



**Parties:** Cojocaru Irinel (Bojboiu Marilena) - plaintiff

Conpet S.A. - defendant

**Object:** Bojboiu Marilena files an application initiating the proceedings, asking the court:

- To obligate Conpet S.A. to leave in full property and possession the land with an area of 2,500 sqm., **(551,518 RON – counter value of 2.500 sqm. of land)** located in Ploiesti, Rezervoarelor Street, no number, which is in its exclusive property;
- To establish the borderlines between the land which is her property and the properties in the vicinity;
- Court fees;

The plaintiff states her claim in the sense that if the court does not admit the main count, the court should rule:

- To obligate Conpet to pay an indemnity corresponding to the replacement and fair market value of the land with the area of 2.500 sqm. And, subsidiarily,
- To establish a superficies right in favour of the defendant and to obligate it to pay monthly the lack of use of the above mentioned land, according to a rent which is to be established at the fair market value of the land.

**Note:** The plaintiff Cojocaru Irinel purchased the litigious rights from the former plaintiff Bojboiu Marilena. As a result, Cojocaru Irinel remained the only plaintiff.

**Specifications:** By the resolution from 24 May 2011, the court **suspended** the case based on art. 244 paragraph (1) of the Civil Procedure Code. On 22 October 2014, the case file was redocketed.

**Stage of the proceedings:** First instance

**Hearing:** 13 January 2017

Probability to admit the action: 50%

## **7. Case file no. 6544/105/2011\* - Prahova Tribunal**

**Parties:** Conpet S.A. - defendant

ICIM S.A. - defendant

E.T.H. Arhitectural Systeme S.R.L. by the court appointed liquidator Dascalescu & Co – plaintiff

**Object: Claims.** E.T.H. Arhitectural Systeme S.R.L. files an application initiating the proceedings, asking the court:

1. to obligate mainly the defendant ICIM and, if it did not receive, as general contractor, the entire counter value of the contract from the beneficiary Conpet, to obligate the beneficiary Conpet to pay the amount of 325,378.20 lei representing the counter value of the performed and overdue works, as well as to obligate to pay the penalties associated with this amount until the effective payment according to the contractual provisions;

2. to obligate mainly the defendant ICIM and, if it did not receive, as general contractor, the entire counter value of the contract from the beneficiary Conpet, to obligate the beneficiary to pay delay penalties of 0.05% per delay day, applied at the overdue invoices value;

3. to obligate mainly the defendant ICIM and, if it did not receive, as general contractor, the entire counter value of the contract from the beneficiary Conpet, to obligate the beneficiary to pay the



amount of **696,577.60 lei** according to the fiscal invoice no. 0002/27 June 2011 representing the counter value of additional works, amount paid up to date with the inflation rate, as well as to obligate to pay the interests/penalties associated with this amount from the due date until the effective payment, which are to be calculated according to art. 371 index 2 paragraph (2) of the Civil Procedure Code;

4. to obligate the defendant ICIM to return the performance bond amounting a total of 232,017.18 lei held according to the contract;

5. to obligate mainly the defendant ICIM and, if it did not receive, as general contractor, the entire counter value of the contract from the beneficiary Conpet, to obligate the beneficiary to pay the amount of 124,828.9 lei penalties attached to the performance bond, namely:

a) interests/penalties for the amount deposited as performance bond which should have been 50% returned in a quantum of 105,166.90 lei;

b) interests/penalties for the amount deposited as performance bond which should have been 30% returned in a quantum of 19,662 lei and court fees.

**Stage of the proceedings:** First instance

**Hearing:** 12 January 2017

Probability to admit the action: 50%

#### **8. Case file no. 650/215/2013\* - Craiova Court**

**Parties:** Conpet S.A. – defendant

Mihai Constantin – plaintiff

Mihai Norica - plaintiff

**Object: Compliance obligation.** Mihai Constantin and Mihai Norica filed an application initiating the proceedings, asking the court, by the decision which is to be delivered, to rule:

- based on art. 494 of the Civil Code, for the defendant Conpet to have the obligation to lift its oil transport pipeline;

- for the defendant Conpet to have the obligation to indemnify them, based on art. 998 and 999 of the Civil Code, for the damages caused as a result of installing this pipeline near their household. The plaintiffs have preliminarily quantified their claims at 2000 lei.

**Specifications:** By the **sentence no. 8895/19 June 2014**, the Craiova Court rejects the action. Takes note that the defendant, by the legal representative, did not claim court fees. The decision was appealed by Mihai Constantin and Mihai Norica.

By the **decision no. 195/3 February 2015**, the Dolj Tribunal admits the appeal I. Cancels the sentence. Refers the case to the same court of first instance.

**Stage of the proceedings:** First instance - retrial

**Hearing:** 18 January 2017

Probability to admit the action: 50%



### 9. Case file no. 5248/111/2014\* - Hunedoara Tribunal

**Parties:** Conpet SA – defendant

Poenar Ioan – plaintiff

**Object: Compliance obligation.** Poenar Ioan files an application initiating the proceedings, asking the court: - the obligation to acknowledge the claimed right

- to obligate Conpet to repair the right breached by the refuse to settle a claim.
- to obligate DGRFP [*\*General Regional Directorate of Public Finance*] Timisoara to settle the claim.

**Specifications:** By the decision no. 27/8 January 2015, the Bihor Tribunal admits the exception of lack of functional jurisdiction of the 2<sup>nd</sup> Civil Division raised *ex officio* by the court. Transfers the action filed by the plaintiff at the 3<sup>rd</sup> Contentious Administrative and Fiscal Division (where receives \*).

By the decision no. 1238/16 April 2015, the Bihor Tribunal admits the exception of its lack of territorial jurisdiction. Declines the jurisdiction to settle the mentioned claim in favour of Hunedoara Tribunal.

**Stage of the proceedings:** First instance

**Hearing:** 2 February 2017

Probability to admit the action: 50%

### 10. Case file no. 5119/260/2014 - Ploiesti Court

**Parties:** Conpet SA – defendant

Biodiesel SRL – plaintiff

**Object:** Biodiesel SRL files an application initiating the proceedings, asking the court to establish the nullity of the lease contract no. ADM 89/27 April 2009 and to rule the obligation of Conpet to pay court fees.

**Specifications:** By the decision no. 1415/17 September 2015, the Onesti Court declines the case settlement in favour of Ploiesti Court

**Specifications:** By the **civil sentence no. 9266/16 November 2016**, the Ploiesti Court rejects the statute of limitation exception claimed by the defendant as unfounded. Rejects the application initiating the proceedings as unfounded. Takes note that no court fees are claimed. The decision can be challenged by appeal after delivery.

**Stage of the proceedings:** --

**Hearing:** --

Probability to admit the action: 50%

### 11. Case file no. 2549/270/2015 - Bacau Tribunal

**Parties:** Conpet SA – defendant







The National Gas Transmission Company "Transgaz" SA- defendant

Moraru Daniel – plaintiff

Moraru Nicoleta Valentina – plaintiff

**Object:** Moraru Daniel and Moraru Nicoleta Valentina filed an application initiating the proceedings, asking the court, by the decision which is to be delivered, to rule:

- the obligation of the defendants to lift their constructions erected with no right on the land of the plaintiffs, located within the built-up area of Tg. Ocna locality, 7 Magura Street, cadastral no. 2165 and, in case of refusal, to authorise the plaintiffs to lift them up on their expense;

- the obligation of the defendants to pay the court fees for this trial

**Specifications:** By the **sentence no. 647/1 March 2016**, Onesti Court rejects as unfounded the application initiating the proceedings. Rejects as unfounded the claim to establish the holder of the right filed by the plaintiffs against the defendants the Romanian State, through the Ministry of public Finances, National Agency of Human Resources. The decision was appealed by the plaintiffs.

**Stage of the proceedings:** Appeal

**Hearing:** 13 March 2017

Probability to admit the action: 50%

## **12. Case file no. 2194/270/2015 – Onesti Court**

**Parties:** Conpet SA – defendant

Isache David – plaintiff

Isache Mihaela – plaintiff

**Object: Claims.** Isache David and Isache Mihaela filed an application initiating the proceedings, asking the court to obligate Conpet to pay the amount of 24,500 lei, representing material damages for the restoration of the fountain and cellar which are their private property, carried out as a result of the pollution in July 2014.

**Specifications:** By the **sentence no. 2939/20.12.2016** Onesti Court rejects the exceptions of the lack of capacity to sue and inadmissibility, called for by the defendant Conpet S.A. Admits, partly, the action filed by the plaintiffs Isache David and Isache Mihaela against the defendant Conpet S.A. Obligates the defendant to pay the plaintiffs the amount of 1,172 lei – counter value of cellar works, the amount of 1,122 lei – counter value of the cellar lack of use, the amount of 6,423 lei – counter value of fountain works, the amount of 1,550 lei – counter value of the fountain lack of use and the amount of 5,122.85 lei – court fees. The decision was appealed after delivery.

**Stage of the proceedings:** --

**Hearing:** --

Probability to admit the action: 50%

## **13. Case file no. 2043/105/2015 – Prahova Tribunal**



**Parties:** Conpet SA – defendant

Petrotrans SA – defendant

GFR Logistic Brazi SRL - defendant

Dorobantul SA – defendant

Sandu Nicusor – plaintiff

**Object:** Sandu Nicusor files an application initiating the proceedings, asking the court, by the decision which is to be delivered, to establish that during the period he was an employee of SC Petrotrans SA, SC Conpet SA and GFR Logistic Brazi SRL he performed an activity classified in occupational group I and/or II, 100% or less, as the case may be, of the working hours, as well as special and/or extraordinary working conditions, as the case may be, after 1 April 2001, as well as to obligate the parties to issue certificates for this purpose.

**Specifications:** By the **sentence no. 1417/10.05.2016**, the Prahova Tribunal admits, partly, the action. Establishes that the defendant beneficiates 100% of the occupational group I and II and extraordinary working conditions, for the activities carried out for the defendant units SC Dorobanul SA and SC Petrotrans SA, for the periods mentioned according to the expertise report of Negulescu Camelia. Obligates the defendants to issue to the plaintiff certificates demonstrating the period, occupational group and percentage in which he carried out his activity. Rejects the action filed against the defendants SC Conpet SA and GFR Logistic Brazi SRL, as unfounded. Takes note that no court fees are claimed. The decision was appealed after delivery.

**Stage of the proceedings:** --

**Hearing:** --

Probability to admit the action: 50%

#### **14. Case file no. 16082/281/2015 – Ploiesti Court**

**Parties:** Conpet SA - defendant

Ovidenie Dumitru - plaintiff

**Object: Real estate recovery.** Ovidenie Dumitru files an application initiating the proceedings, asking the court to obligate Conpet to return the land with an area of 335 sqm., located in Brazi commune, T 31, PARCEL 178/19; to bring the land to the initial condition; payment of the lack of use for the last 3 years. Conpet filed an application for the establishment of the proprietor of the right in rem.

**Stage of the proceedings:** First instance

**Hearing:** 11 January 2017

Probability to admit the action: 50%

#### **15. Case file no. 14960/280/2015 – Pitesti Court**

**Parties:** Conpet – defendant

Cirstea Stelian - plaintiff



Cirstea Gherghina – plaintiff

**Object: Compliance obligations + Claims.** The plaintiffs filed an application initiating the proceedings, asking the court, by the decision which is to be delivered, to obligate Conpet SA to:

1. Pay the lack of use from the date it acquired the possession of the land – 6 October 2014, lack of use which they preliminarily evaluate at 1000 lei
2. Lift the pipelines and the installations on the land which is the property of the plaintiffs and, if this is not possible, to obligate Conpet to pay a monthly amount equivalent with the counter value of a rent for the land affected by the pipelines and installations on it – at the level of the rents on the free market.
3. To pay court fees.

**Stage of the proceedings:** First instance

**Hearing:** 7 February 2017

Probability to admit the action: 50%

#### **16. Case file no. 21382/281/2015 – Ploiesti Court**

**Parties:** Conpet – defendant

Iordache Margareta – plaintiff

**Object:** Iordache Margareta files an application initiating the proceedings, asking the court to obligate Conpet to pay the counter value for the lack of use of the real property of the plaintiff, namely the land located in Blejoi commune, Ploiestori village, field 24, parcel 187/15, for the last 3 years before filing the action.

**Stage of the proceedings:** First instance

**Hearing:** 31 January 2017

Probability to admit the action: 50%

#### **17. Case file no. 668/317/2016 – Targu Carbunesti Court**

**Parties:** Conpet – defendant

Niculete Gheorghe – plaintiff

**Object:** Niculete Gheorghe files an application initiating the proceedings, asking the court to obligate Conpet SA to pay the amount of 500 lei (amount roughly provided only in order to establish the stamp duties) representing the lack of use of the land which is his property, 795 sqm. arable land outside the built up area, T 73, P 1527/10/2, 796 sqm. of land located in T 73, P 1528/10/2 and 803 sqm. arable land inside the built up area, located in T 27, P 1035/4, all located within the limits of Logresti commune, Gorj County, for the last three years.

**Specifications:** By the civil sentence no. 2933/31 October 2016, the Targu-Carbunesti court rejects the exception of lacking the capacity to be sued, called for by the defendant. Admits, partly, the mentioned action. Obligates the defendant to pay to the plaintiff the amount of 181 lei – civil indemnities, representing the lack of use of the 1195 sqm. land, for 2013, 2014 and 2015. Compensates the court fees



and, as a result of the compensation, obligates the defendant to pay to the plaintiff the amount of 876 lei representing court fees. The decision was appealed after delivery.

**Stage of the proceedings: --**

**Hearing: --**

Probability to admit the action: 50%

#### **18. Case file no. 9962/315/2014 – Targoviste Court**

**Parties:** Conpet – defendant

SC OILDAN SRL – plaintiff

**Object:** SC OILDAN SRL files an application initiating the proceedings, asking the court to obligate Conpet SA to pay the amount of 200,000 lei representing material and moral damages.

**Specifications:** By the **civil sentence no. 306/08.11.2016**, the Targoviste Court rejects the action filed by the plaintiff SC Oildan SRL, through liquidator assigned by the court Prosolving SPRL. The decision can be appealed after delivery.

**Stage of the proceedings: --**

**Hearing: --**

Probability to admit the action: 50%

#### **19. Case file no. 1723/302/2016 – Bucharest Tribunal**

**Parties:** Conpet - respondent

Raduta Nicoleta Bailiff Office - respondent

Dobrogeanu Paun Ioan – appellant

**Object:** Dobrogeanu Paun Ioan files an appeal against the enforcement of the resolution from 25 January 2016 delivered by the respondent Raduta Nicoleta Bailiff Office in the case file no. 10/2013 establishing the amount of 441.52 lei, representing forced execution fees in addition to those established by the resolutions on 19 March 2013, 15 July 2013, 24 September 2014 and 19 December 2014, up to this stage of proceedings in the enforcement file no. 10/2013 created at the request of the creditor Conpet S.A, as well as against the establishment of the garnishment on the share of 1/3 of the current and future salary rights of the debtor Dobrogeanu Paul Ioan, until the payment of the total debt of 1,507.82 lei from the third party garnishee Gegerul Agrotrans S.R.L., having the registered office in Baicoi City. Also, until the settlement of the appeal against the enforcement, calls for the suspension of the forced execution which is the object of the forced execution file no. 10/2013 of Raduta Nicoleta Bailiff Office.

**Specifications:** By the **sentence no. 5597/28.07.2016**, the Bucharest Court in District 5 admits, partly, the appeal against the enforcement. Cancels, partly, the Resolution on the establishment of enforcement fees delivered in the case file no. 10/2013 on 25 January 2016, by Răduță Nicoleta Bailiff Office, for the amount of 358.88 lei. Cancels, partly, the other enforcement deeds made by Răduță Nicoleta Bailiff Office, in the enforcement file no. 10/2013, in the quantum of the enforcement fees, reducing them according to the previous provision. Rejects all the other counts of the appeal against the enforcement, as unfounded. Rejects the application for the suspension of the forced execution, as become devoid of purpose. Rejects the application initiating the proceedings against the respondent Răduță Nicoleta Bailiff



Office, as being filed a person lacking the capacity to be sued. Enforceable. The decision was appealed by Dobrogeanu Paun Ioan.

**Stage of the proceedings:** Appeal

**Hearing:** --

Probability to admit the action: 50%

## **20. Case file no. 5180/236/2016 – Giurgiu Court**

**Parties:** Conpet – respondent

Stan Remus Constantin – appellant

**Object:** Stan Remus Constantin files an appeal against the enforcement of the demand from 29 March 2016 as a result of the writ of execution filed by the creditor Conpet S.A towards Raduta Nicoleta Bailiff Office through bailiff Raduta Nicoleta, in the enforcement file no. 207/2015, and, based on art. 719 paragraph (1) of the Civil Procedure Code, calls for the suspension of the forced execution until this appeal is settled.

**Stage of the proceedings:** First instance

**Hearing:** 27 January 2017

Probability to admit the action: 50%

## **21. Case file no. 6683/105/2015 – Prahova Tribunal**

**Parties:** Conpet SA - defendant

Muscalu Florian Aurelian, Ceptureanu Romeo, Dobrica Virgil, Radulescu Loredana Emilia, Margarit Corneliu, Negoita Gheorghe, Parvu Ilie, Strachinescu Dumitru, Strachinescu Veronica, Ispas Marian, Staicu Claudia, Neagu Marin, Cosma Vasile – plaintiffs

**Object: Declaratory action.** The plaintiffs filed an application initiating the proceedings, asking the court to establish that for the periods attached to the application they were employed in positions and worked effectively 100% of the working hours in the sections within occupational groups II and I, namely extraordinary and special conditions and, consequently, to obligate Conpet to issue the certificates.

**Stage of the proceedings:** First instance

**Hearing:** 22 February 2017

Probability to admit the action: 50%

## **22. Case file no. 6813/105/2015 – Prahova Tribunal**

**Parties:** Conpet SA - defendant

Grozea Vasile, Voinea Jan - plaintiffs

**Object:** Declaratory action. The plaintiffs filed an application initiating the proceedings, asking the court to establish that for the periods attached to the application they were employed in positions and worked effectively 100% of the working hours in the sections within occupational groups II and I, namely extraordinary and special conditions and, consequently, to obligate Conpet to issue the certificates.

**Specifications:** By the **sentence no. 3435/06 December 2016**, the Prahova Tribunal rejects the action, as unfounded. The decision can be appealed after delivery.



**Stage of the proceedings:** --

**Hearing:** --

Probability to admit the action: 50%

### **23. Case file no. 3451/108/2016\* - Arad Tribunal**

**Parties:** Conpet SA – defendant

Territorial Administrative Unit of Pecica City - plaintiff

**Object:** The Territorial Administrative Unit of Pecica City filed an application initiating the proceedings, asking the court:

Mainly:

-to obligate the defendant SC. CONPET S.A. to deviate the oil pipeline crossing a number of 22 parcels of land within the built-up area, designed for building houses, in our property, with a total area of 20,287 sqm.

- to obligate the defendant SC. CONPET S.A. to pay the amount of 65,000 de euro representing the counter value of the house located in parcel no. A141.7760/5/174, registered in the Land Book no. 306869, because it cannot be capitalized by the undersigned.

Subsidiarily:

- to obligate the defendant SC. CONPET S.A. to pay an annual rent, during the existence of the pipeline, as a result of the encumbrance of the mentioned areas with the easement right exerted by SC CONPET SA;

- to obligate the defendant SC. CONPET S.A. to grant indemnities for the period 31 October 2014-31 May 2016 as a result of the limitation of the ownership right attributes on the 22 parcels of land within the built-up area and the decrease of the fair market value of the land on the real estate market caused by the restriction enforced by the Order no. 196/2006 of A.N.R.M. [*\*National Agency for Mineral Resources*] regarding the constructions;

- to obligate the defendant SC CONPET S.A. to adapt every 3 years the quantum of the indemnities according to the fair market value at that moment of some similar lands and to the future ordinary provisions of A.N.R.M;

-to establish the due date when the indemnities are to be paid yearly, the failure to pay at the due date incurring the payment of legal interest associated with the amount received as indemnity for the delay period;

- to establish the court fees in case of appeal.

**Specifications:** By the Resolution from 7 December 2016, the Arad Tribunal establishes the lack of functional jurisdiction of the 1<sup>st</sup> Civil Division of Arad Tribunal and declines in favour of the 2<sup>nd</sup> Civil Division of Arad Tribunal, the judgement of the action filed by the plaintiff Territorial Administrative Unit of Pecica City

**Stage of the proceedings:** First instance

**Hearing:** 26 January 2017

Probability to admit the action: 50%



#### 24. Case file no. 1978/223/2016 – Dragasani Court

**Parties:** Conpet SA - defendant

Florea C. Nicolae – plaintiff

**Object:** Florea C. Nicolae filed an application initiating the proceedings, asking the court:

- To obligate Conpet to bring to the previous condition the land with the area of 759 sqm., located outside the built-up area of Dragoesti commune, Valcea County, field 65 parcel 1/3 in "Picatura" point, land affected by the oil products transported by the defendant; otherwise, asks for the plaintiff to be authorized to carry out these works on the expense of the defendant Conpet. The counter value of these works is estimated at 1.000 lei;
- To obligate Conpet to pay the counter value of the lack of use of the land for the last three years, as well as for the period necessary to heal the fertile layer and the use category of the land. We estimate the lack of use at a value of 5,000 lei.

**Stage of the proceedings:** First instance

**Hearing:** 25 January 2017

Probability to admit the action: 50%

#### 25. Case file no. 6646/204/2016 – Campina Court

**Parties:** Conpet SA – respondent

Filipestii de Targ commune through Mayor – appellant

DGRFP Ploiesti, County Administration of Public Finances Prahova, Boldesti Scaeni Service

**Object: Appeal against enforcement, suspension of forced execution, cancellation of garnishment provision, cancellation, in part, of the forced execution.** The Filipestii de Targ commune, through the Mayor, files an appeal against the enforcement by garnishment (for the amount of 32,371.85 lei – representing the update with the legal interest rate of the amount of 26,959 lei which they have to pay according to the sentence, the amount of 1,433.77 lei representing court fees and 2,225 lei representing enforcement fees) established by Francu Mihai Bailiff Office in the file no. 116/2016, based on the enforceable title represented by the Civil Sentence no. 833/2 March 2015, delivered by Campina Court in the case file no. 2037/204/2011 and asks the court

- To suspend the forced execution until the appeal is settled
- To cancel the garnishment transmitted to the Boldesti Scaeni Treasury Service by Francu Mihai Bailiff Office, provision delivered in the enforcement file no. 116/2016
- Partial cancellation of the forced execution.

**Specifications:** By the Final Resolution (divestiture) no. 118/21 September 2016, delivered in the case file no. 6647/204/2016, the Campina Court admits the claim to provisionally suspend the forced execution filed by the appellant Filipestii de Targ commune, through Mayor. Decides to provisionally suspend the forced execution started in the enforcement file no. 116/2016 of Francu Mihai Bailiff Office, until the settlement of the suspension application filed within the appeal against enforcement, which is the object of the civil case file no. 6646/204/2016 of this court.

**Stage of the proceedings:** First instance

**Hearing:** 17 January 2017

Probability to admit the action: 50%



## **26. Case file no. 7245/105/2015 - Prahova Tribunal**

**Parties:** Conpet SA – defendant

Toader Ion – plaintiff

**Object: Declaratory action.** Toader Ion files an application initiating the proceedings, asking the court, by the decision which is to be delivered, to establish that during the period he was an employee – 31 January 1977 – 15 August 2015 – of Conpet SA he worked effectively 100% of the working hours as lathe operator in jobs within occupational group II, as well as to obligate Conpet SA to issue a certificate demonstrating the period, occupational group and percentage in which he carried out the activity in the superior occupational group.

**Stage of the proceedings:** First instance

**Hearing:** 27 January 2017

Probability to admit the action: 50%

## **27. Case file no. 231/105/2016 - Prahova Tribunal**

**Parties:** Conpet SA – defendant

Dragomir Florin Victor – plaintiff

**Object:** Dragomir Florin Victor files an application initiating the proceedings, asking the court to establish that during the period 9 May 1990 – 1 January 2011 was employed and worked effectively 100% of the working hours in the sections within occupational groups II and I, namely extraordinary and special conditions and, consequently, to obligate Conpet SA to issue the certificates.

**Stage of the proceedings:** First instance

**Hearing:** 17 January 2017

Probability to admit the action: 50%

## **28. Case file no. 726/105/2016 - Prahova Court**

**Parties:** Conpet SA – defendant

Cringasu Silviu - plaintiff

**Object: Challenge of the decision to terminate the employment.** Cringasu Silviu files an application initiating the proceedings, asking the court:

- To cancel the decision to terminate the employment no. 10/12 January 2016 issued by the defendant, communicated on 18 January 2016;
- To obligate the employer to pay indemnities equal with the indexed wages, increased and updated;
- To suspend the effects of this decision during the trial, until a final solution is delivered;
- To reinstate the condition of the parties prior to the issuance of the termination of employment;



- To obligate Conpet to pay court fees.

**Stage of the proceedings:** First instance

**Hearing:** 8 February 2017

Probability to admit the action: 50%

## **29. Case file no.. 7558/270/2016 – Onesti Court**

**Parties:** Conpet SA – defendant

Urechesti commune – plaintiff

**Object:** Urechesti commune files an application initiating the proceedings, asking the court:

1. to obligate the debtor-defendant to pay the amount of 9088 lei, representing the overdue rent to Urechesti commune, Bacau County, for the land occupied by the oil pipeline, for 2015 and 2016;
2. to obligate the defendant to pay the associated fiscal accessories amounting 1318 lei;
3. payment of land tax, for 2015 and 2016, amounting 32 lei;
4. to obligate the defendant to pay court fees.

**Stage of the proceedings:** First instance

**Hearing:** --

Probability to admit the action: 50%

## **b) List of files pending before courts of law on 31<sup>st</sup> December 2016 in which the company CONPET S.A. acts in two capacities**

### **1. File no. 378/105/2007 – Prahova General Court**

**Parties:** Conpet S.A. – counter-defendant

Petroconduct S.A. – counter-plaintiff

**Object:** Conpet S.A. requests that the defendant Petroconduct S.A. Ploiesti to be ordered:

- to pay the amount of RON 80,548.49 as penalties for the non-performance in due time of the obligations undertaken under contract no. L 45/ March 18<sup>th</sup> 2004 and contract no. M 59/ June 9<sup>th</sup> 2004
- to hand over the tubular material consisting of stainless pipe China in quantity of 504 in the amount of EUROS 21,344.4 and stainless pipe China in quantity of 96 m in the amount of EUROS 4,366.08 or to pay its equivalent value to the company, namely the amount of RON 89,291.50.
- to pay the amount of 20,626 RON representing the transport, loading and unloading costs corresponding to the tubular material
- to pay the court charges in amount of RON 5,062.24 out of which RON 5,057.24 represent the legal stamp duty and RON 5.00 the legal stamp, as well as other court charges incurred by this trial.

Petroconduct S.A. filed a counterclaim requesting the court to order Conpet SA to pay the amount of RON 46,214.01, representing the equivalent value of the works executed under works contract no. L 45/March 18<sup>th</sup> 2004 and no. MST 09/June 9<sup>th</sup> 2004, in favour of the beneficiary Conpet SA.

**Clarifications:** On February 22<sup>nd</sup> 2010, according to article 36 of Law no. 85/2006 the court decided to suspend the case.

**Procedural status:** Merits

**Deadline:** Suspended

Probability of granting the motion 50%



## **2. File no. 538/317/2014 –Targu-Carbunesti District Court**

**Parties:** Conpet SA – counter-plaintiff

Baltoi Mariana – counter-defendant

**Object:** Baltoi Mariana files a writ of summons requesting the court to order Conpet to pay the civil claims for the period 2011 - 2014 (January) of ROL 500,000,000 and a monthly rent of 10,000 lei.

Conpet files a counterclaim requesting the court:

1. To order the plaintiff Baltoi Mariana to grant the company CONPET SA the right of legal encumbrance established by the provisions of article 7 et seq. of Law no. 238/2004 with respect to its own land. In order to exercise the right of legal encumbrance, a passage of 2.4 metres in width located along the petroleum transportation pipeline belonging to the national petroleum transportation system and buried on the land of the plaintiff, shall be used for acquiring permanent access to the petroleum transportation pipeline in order to check on a daily basis the technical status and the execution of repair works required. The period of encumbrance shall coincide with the life time of the petroleum transportation pipeline. At the same time, we request the court to establish the amount of the annuity provided by law that they owe the plaintiff in exchange of the possibility to exercise the right of legal encumbrance therefore established.
2. To establish a right of encumbrance over the land of the plaintiff consisting in the right to use the land areas on which the installations and equipments belonging to the national petroleum transportation system are situated at the ground surface. The period of encumbrance shall coincide with the life time of the corresponding equipment and installations. We also request the court to establish the equivalent value of the land-use subject to the encumbrance.

**Clarifications:** By sentence no. 128/January 20<sup>th</sup> 2016 Targu Carbunesti District Court refuses to grant the exception to the plaintiff's lack of the capacity to stand trial, invoked by the defendant. It partially grants the aforementioned motion. It allows the counterclaim. It orders the counter-plaintiff to pay the counter-defendant the amount of RON 184.25 as civil damages, representing the equivalent value of the lack of use corresponding to the land with an area of 268 square metres, for the years 2011, 2012, 2013. Establishes in favour of the counter-plaintiff a right of encumbrance over the land of the counter-defendant with a total surface of 50 square metres during the execution of petroleum operations, bordered by the points 37-38-39-40-46-45-44-43, as identified by topographic expert Grămadă Constantin, in the 1<sup>st</sup> appendix to the expert report. It orders the counter-plaintiff to pay the counter-defendant the amount of RON 7 on a yearly basis, representing the equivalent value of the annuity during the period of encumbrance. It partially reimburses the court charges and orders the counter-plaintiff to pay the counter-defendant the amount of RON 825, representing the court charges. Baltoi Mariana filed an appeal against the decision.

By Decision no. 633/November 15<sup>th</sup> 2016 Gorj Court grants the appeal, cancels the sentence and remands the case for retrial to the court.

**Procedural status:** Merits – retrial

**Deadline:** --

Probability of granting the motion 50%

## **3. File no. 8425/281/2015 – Ploiesti District County**

**Parties:** Conpet SA- counterclaim defendant

Panaiteescu Mircea – plaintiff-defendant

**Object:** Claims. Panaiteescu Mircea files a writ of summons requesting the court to order Conpet to pay the amount of RON 5,000, the lack of use and the annuity of RON 12000.

Conpet filed a counterclaim requesting the court to establish a right of legal encumbrance and the annuity.

**Procedural status:** Merits

**Deadline:** January 12<sup>th</sup> 2017

Probability of granting the motion 50%



**List of the files pending before courts of law on 31<sup>st</sup> December 2016 in which the company CONPET S.A. acts as plaintiff**

**1. File no. 11921/105/2011 – Bacau Court**

**Parties:** Conpet S.A. – plaintiff

Biodiesel S.R.L. – defendant

**Object: Claims.** Conpet S.A. files a writ of summons requesting the court:

- to order the defendant Biodiesel S.R.L. to pay Conpet S.A. the amount of RON 216,821.44, representing the equivalent value of the rent for the land during the period June 2009 – April 2011;
- to order the defendant Biodiesel S.R.L. to pay Conpet S.A. the delay penalties that the defendant owes according to article 11 of Contract no. ADM 89/ April 27<sup>th</sup> 2009 concluded between the parties, as result of the non-performance of the obligation to pay the rent. Conpet requests the court to order the defendant to pay the delay penalties owed from the due date until the date of the actual payment (the date of fulfilling the payment obligation related to the equivalent value of the main debit representing the rent owed for the period May 2009 – April 2011). Please note that up until November 11<sup>th</sup> 2011, the total amount of the delay penalties that the defendant owes reaches RON 30,653.77;
- to order the defendant to pay damages for the lack of use of the land from the expiry date of the contract (April 28<sup>th</sup> 2011) up until now. When assessing the damages for the lack of use of the land, the amount of the rent agreed with the defendant under lease contract no. ADM 89/ April 27<sup>th</sup> 2009 has been taken into account.
- to order the defendant Biodiesel S.R.L. to pay the court charges incurred by this case.

**Clarifications:** By **sentence no. 445/ March 4<sup>th</sup> 2015** Moinesti District Court refuses to grant the exception to the non-performance of the contract. It partially allows the request filed by the plaintiff Conpet SA Ploiești against the defendant Biodiesel SRL. It orders the defendant to pay the plaintiff the amount of RON 191,554.60, representing the equivalent value of the rent. It orders the defendant to pay the plaintiff the amount of RON 106,026.58 representing the equivalent value of delay penalties, still owed starting from November 20<sup>th</sup> 2014 until the date of the actual payment of the rent. It rejects the head of claim related to the damages. It orders the defendant to pay the plaintiff the amount of RON 10,599.31, representing the legal stamp duty, in case the motion is granted, and the expert fees. Conpet and Biodiesel filed an appeal against the first decision.

By the Decision of 08<sup>th</sup> March 2016, Bacau Court orders the suspension of the appeal according to article 244(1)1 Civil Procedure Code (former version), until the final settlement of file no. 5119/260/2014. Conpet filed an appeal against the suspension decision. The appeal shall be submitted to the Bacau Court of Appeal. The appeal has been rejected by the decision of September 7<sup>th</sup> 2016.

**Procedural status:** Appeal – **Suspended**

Probability of granting Conpet motion: 50%



## **2. File no. 19024/281/2009 - Ploiesti Court**

**Parties:** Conpet S.A. Ploiesti – plaintiff

Compania de Transport Feroviar S.A. Ploiesti – defendant

**Object:** Conpet files a writ of summons requesting for the defendant to be ordered to pay the amount of RON 50,511.6, representing the difference in payment resulting from the equivalent value of the repair services provided for locomotive engine LDH 70-675 in the amount of RON 60,381.60, as well as the court charges.

**Clarifications:** By decision of 2<sup>nd</sup> September 2011 the court **suspended** the case according to article 36 of Law 85/2006.

**Procedural status:** Merits

Probability of granting Conpet motion: 50%

## **3. File no. 6179/105/2009 - Prahova Court**

**Parties:** Conpet S.A. - creditor

Petroconduct S.A. – debtor

**Object: Bankruptcy.** Conpet S.A., by the Lodgement of claims no. 5949/ February 23<sup>rd</sup> 2010, requested for the amount of RON 202,890.47 representing penalties for the non-performance in due time of the obligations undertaken by contract no. L45/ March 18<sup>th</sup> 2004 and MST9/ June 9<sup>th</sup> 2004, the equivalent value of tubular material, the transport, loading and expenses for tubular material, as well as the court charges to be entered on the statement of affairs. Conpet SA was included in the list of creditors of debtor S.C. Petroconduct S.A. with the amount of RON 62,739.06.

**Clarifications:** The bankruptcy liquidator of the debtor included the company in the preliminary table of the debtor only with a part of the debt claimed by Conpet, namely RON 62,739.06 of the total debt of RON 216,412.56, although our company used all legal remedies available.

**Deadline:** March 8<sup>th</sup> 2017

## **4. File no. 2811/105/2010\* – Ploiesti Court of Appeal**

**Parties:** Conpet S.A. – plaintiff

ICIM S.A. – defendant

**Object:** Conpet S.A. files a writ of summons requesting to order ICIM S.A. to pay the amount of RON 331,271.57, representing the penalties owed to our company, corresponding to the delayed execution of the works that the defendant undertook under contract no. 0135/1995, concluded between the parties, as well as the court charges.

**Clarifications:** By **sentence no. 594/March 5<sup>th</sup> 2014** Prahova Court rejects to grant the exception to the prescription. It rejects the motion as being unfounded. Conpet filed an appeal against the first decision.



By **decision no. 73/February 4<sup>th</sup> 2015** Ploiesti Court of Appeal allows the appeal of the plaintiff. It cancels the appealed sentence and remands the case for retrial.

By **sentence no. 1447/22.06.2015**, Prahova Court rejects to grant the exception to the statute of limitations. It grants the motion. It orders the defendant to pay the plaintiff the amount of RON 292,754.68, representing delay penalties, as well as the court charges incurred by both the first instance trial and the appeal in the amount of RON 12,568, representing the legal stamp duty, the legal stamp and the expert fees. By Decision of September 22<sup>nd</sup> 2015, Prahova Court corrects ex officio the material mistake included in the minute (enactment terms) of civil sentence no. 1447/June 22<sup>nd</sup> 2015, so that the amount the defendant is ordered to pay is of RON 331,271.57, instead of RON 292,754.68, as wrongfully mentioned.

ICIM S.A. filed an appeal against the decision.

**Procedural status:** Appeal - retrial

**Deadline :** January 12<sup>th</sup> 2017

Probability of granting Conpet motion: 50%

#### **5. File no. 29201/3/2012\* – Bucharest Court**

**Parties:** Conpet SA – civil party

Dinu Ion, Petrisor Marius Sever, Petrisor Dumitru Valeriu, Pavel Vasile, Benim Nicolae, Dumitru Gabriel, Tinca Florinel Mircea, Costachi Constantin, Spirea Geon, Dragut Marian, Cobzaru Eugen Constantin, Nita Sorin, Constantin George Alin, Marin Georgian Ciprian, Chelaru Ioan Iulian, Dumitru Constantin, Sandu Marian, Toncu Stefan – defendants

**Object: Theft. Bribery. Law 78/2000, Use of forgery. Conspiracy.** Conpet SA has brought the civil motion to the criminal proceedings for the amount of RON 6,267,625.71 (without VAT), representing the equivalent value of the stolen. On December 14<sup>th</sup> 2016, Conpet increased its claims to the amount of RON 7,828,005.58 consisting of RON 7,771,855.88 (RON 6,267,625.71 without VAT) representing the equivalent value of 2420.595 tonnes of stolen crude oil, RON 47,915.77 (RON 38,641.70 without VAT) representing the transport expenses corresponding to the 2,420.595 tonnes of stolen crude oil and RON 8,233.99, representing the equivalent value of the remedial works required in order to bring the pipes to the state before the commitment of unlawful acts, namely in running order.

**Procedural status:** Merits

**Deadline:** February 23<sup>rd</sup> 2017

Probability of granting Conpet motion: 50%



**6. File no. 3033/105/2012 – Prahova Court**

**Parties:** Conpet SA – creditor

Vasrep Petro Construct SRL – debtor

**Object: Bankruptcy.** Conpet SA files a request for the admission of the debt asking that Vasrep Petro Construct SRL be included in the list of creditors with the amount of RON 126,877, including VAT, representing the equivalent value of the material, labour and equipment expenses in order to bring the pipe to the state before the debtor committed the unlawful act, consisting in the destruction and theft without any right of two sections in length of 4,120 linear metres from the pipe Ø 10¾" Iancu Jianu – Ghercesti. Conpet files an appeal against the measure of not including the debt of Conpet S.A., subject of file no. 3033/105/2012/a1, on the preliminary list. By Sentence no. 1958/19.11.2012, Prahova Court rejected the appeal filed by Conpet. Conpet filed a second appeal. Ploiesti Court of Appeal allowed the appeal, cancelled the sentence delivered by the court of first instance and ordered a retrial.

By sentence no. **1008/17.09.2014** (file no. 3033/105/2012/a1\*) Prahova Court allows the appeal against the preliminary ruling. It orders the appealing creditor Conpet S.A. to be included in the consolidated list of creditors of the debtor with the amount of RON 1,473,628 equivalent value for the materials, labour and equipment, as well as RON 120 for the legal stamp duty incurred by the appeal and RON 2500 expert fees. Vasrep filed an appeal.

By **decision no. 141/15.01.2015** Ploiesti Court of Appeal declines the appeal as being unfounded.

**Procedural status:** Merits

**Deadline:** March 23<sup>rd</sup> 2017

Possibility of recovering the debt 10%

**7. File no. 2803/120/2013 - Dambovită Court**

**Parties:** Conpet SA – creditor

Ecprod SRL - debtor

**Object: Insolvency. Request for the admission of debt.** Conpet SA filed a request for the admission of debt on the wealth of debtor Ecprod in the amount of RON 25,728.89. Conpet is included in the list of creditors with the amount of RON 25,728.89.

**Procedural status:** Merits

**Deadline:** May 8<sup>th</sup> 2017

Possibility of recovering the debt 50%

**8. File no. 6445/105/2013 – Constanta Court of Appeal (initially the file has been submitted to Prahova Court, while the appeal has been submitted to Ploiesti Court of Appeal)**

**Parties:** Conpet SA – plaintiff

Arelco Power SRL – defendant



**Object: Claims.** Conpet SA files a writ of summons requesting the court to order the defendant to pay the amount of RON 399,159.60 representing damages according to article 15.2 of contract no. P-CA 394 concluded on December 13<sup>th</sup> 2010, damages justified by the non-performance of the obligation to supply electricity, undertaken under this contract.

Alternatively, in case the main head of claim is rejected, Conpet requests the court to order the defendant to pay the amount of RON 220,833.86 representing damages according to article 13.1 paragraph 1 of contract no. P-CA 394 concluded on December 13<sup>th</sup> 2010, damages justified by the non-performance of the obligation to supply electricity, undertaken under this contract.

Subsequently, Conpet has increased its claims requesting:

To order the defendant Arelco Power S.R.L. to pay Conpet S.A. the amount of RON **655,544.75** representing damages according to article 15.2. of contract no. P-CA 394 concluded with the plaintiff on December 13<sup>th</sup> 2010, damages justified by the non-performance of the obligation to supply electricity between 1<sup>st</sup> November 2011 (the date when the defendant cut out the electricity supply) – June 25<sup>th</sup> 2012 (the date CONPET terminated contract no. PCA 394/13<sup>th</sup> December 2010), obligation undertaken under this contract.

Alternatively, in case the main head of claim is rejected, Conpet requests the court to order the defendant Arelco Power S.R.L. to pay Conpet S.A. the amount of RON **361 440.12**, representing damages according to article 13.1. paragraph (1) of contract no. P-CA 394 concluded with the plaintiff on December 13<sup>th</sup> 2010, damages, damages justified by the non-performance of the obligation to supply electricity between November 1<sup>st</sup> 2011 (the date when the defendant cut out the electricity supply) – June 25<sup>th</sup> 2012 (the date CONPET terminated contract no. PCA 394/ December 13<sup>th</sup> 2010), obligation undertaken under this contract.

**Clarifications:** By **sentence no. 1227/27.05.2015** Prahova Court grants the motion under the terms that have already been mentioned. It decides to order the defendant to pay the plaintiff the amount of RON 655,544.75 as damages. It orders the defendant to pay the amount of RON 8346.6 to the plaintiff as court charges. Both parties filed an appeal against the decision.

SC Arelco Power SRL requests the change of venue, the request being registered under file no. 3954/1/2015. By Decision no. 2649/ November 24<sup>th</sup> 2015 the High Court of Cassation and Justice allows the request filed by the complainant SC Arelco Power SRL related to the change of venue registered under file no. 6445/105/2013 of Ploiești Court of Appeal. The case is moved from Ploiesti Court of Appeal to Constanța Court of Appeal. It is not required to follow the procedural steps.

On December 7<sup>th</sup> 2015 Ploiesti Court of Appeal dismisses the case and submits it to Constanța Court of Appeal according to certificate no. 24932/ December 3<sup>rd</sup> 2015 and decision no. 2649/ November 24<sup>th</sup> 2015 delivered by the High Court of Cassation and Justice.

By **decision no. 385/29.06.2016** Constanta Court of Appeal denies the appeal filed by SC Arelco Power SRL as unfounded. It allows the appeal filed by Conpet SA. It partly changes the appealed decision as it orders the defendant to pay including the amount of RON 2,564, corresponding to the legal duty stamp. The other dispositions suffer no changes. Final.

Possibility of recovering the debt 50%



## **9. File no. 6443/105/2013 – Brasov Court of Appeal**

**Parties:** Conpet SA – plaintiff

Arelco Power SRL – defendant

**Object: Claims.** Conpet SA files a writ of summons requesting the court to order the defendant to pay the amount of RON 1,474,050.28 representing damages according to article 15.2 of contract no. P-CA 392 concluded on December 13<sup>th</sup> 2010, damages justified by the non-performance of the obligation to supply electricity undertaken under this contract.

Alternatively, in case the main head of claim is rejected, Conpet requests to the court to order the defendant to pay the amount of RON 788,919.29 representing damages according to article 13.1 paragraph 1 of contract no. P-CA 394 concluded on December 13<sup>th</sup> 2010, damages justified by the non-performance of the obligation to supply electricity undertaken under this contract.

**Clarifications:** By the Decision of October 03<sup>rd</sup> 2013 Ploiesti District Court cancels the writ of summons. Conpet filed a request for review. On February 06<sup>th</sup> 2014 the court allows the request for review. It cancels the decision of October 3<sup>rd</sup> 2013. It submits the case to the judicial panel which initially heard the case.

By **sentence no. 1437/June 22<sup>nd</sup> 2015** Prahova Court grants the amended motion. It orders the defendant to pay the amount of RON 2 438 378.91 as damages. It orders the defendant to pay the plaintiff the amount of RON 32,489, representing court charges, respectively RON 27,989 stamp duty and RON 4.500 expert fees. Both Arelco Power SRL and Conpet SA filed an appeal against the decision.

By Decision no. 937/April 19<sup>th</sup> 2016 the High Court of Cassation and Justice allows the request filed by the complainant S.C. Arelco Power S.R.L. related to the change of venue subject of file no. 6443/105/2013 Ploiești Court of Appeal – 2<sup>nd</sup> civil department and contentious administrative department. The judgement of the case is moved from Ploiești Court of Appeal – 2<sup>nd</sup> Division of the civil court, contentious administrative and fiscal court and submitted to Brașov Court of Appeal. It is not required to follow the procedural steps.

By decision no. 984/June 30<sup>th</sup> 2016 Brasov Court of Appeal grants the exception to the functional incompetence of the civil department within the Brașov Court raised ex officio and consequently: Declines the competence of delivering a judgement in case of the appeals filed by the appellant-defendant SC Arelco Power SRL against civil sentence no. 1437/June 22<sup>nd</sup> 2015 issued by Prahova Court – 2<sup>nd</sup> civil department and the contentious administrative and fiscal department and by the appellant-plaintiff SC Conpet SA against the decision related to the correction of the material mistake of December 22<sup>nd</sup> 2015, ordered by the same court, in favour of the contentious administrative and fiscal department within the Brașov Court of Appeal. It remands the case to the contentious administrative and fiscal department within the Brașov Court of Appeal according to article 111 paragraph of the decision of the Superior Council of Magistracy 1375/December 17<sup>th</sup> 2015. By Decision no. 12/2016 the Brasov Court of Appeal grants the exception to the functional incompetence of the contentious administrative and fiscal department of the Brașov Court of Appeal. It declines the functional competence of delivering a judgement in case of the appeals filed in favour of the civil department within the Brașov Court of Appeal. It notes that the negative conflict of competence has arisen. It suspends ex officio the judgement of the case. It brings the case before the High Court of Cassation and Justice –



Contentious administrative and fiscal department for settling the negative conflict of competence arisen between the Contentious administrative and fiscal department and the Civil department within the Braşov Court of Appeal.

By decision no. 2833/October 26<sup>th</sup> 2016 the High Court of Cassation and Justice decides that the settlement of the appeal regarding the plaintiff Conpet S.A. against the defendant Arelco Power S.R.L. falls under the jurisdiction of Braşov Court of Appeal – Contentious administrative and fiscal department.

**Procedural status:** Appeal

**Deadline:** January 18<sup>th</sup> 2017

Probability of granting Conpet motion: 50%

#### **10. File no. 7932/118/2013 – Constanta Court**

**Parties:** Conpet SA – injured party

Bivolaru Gabriel, Chihaia Marin, Mangalea Gheorghe, Arhire Adrian, Poenaru Marius Ciprian, Boamfa Paul, Luca Viorel, Meridicos Romeo Ovidiu, Dimofte Petronel, Matei Marius Ionut, Ahalanei Ioan – defendants

Romeo International Service Company SRL Navodari - defendant

Romeo International Service Company SRL Navodari represented by Nicolaidis Constantin – defendant

Ministry of Public Finance – National Agency for Fiscal Administration (ANAF) – civil party

General Directorate of Public Finance (DGFP) - civil party

**Object: Tax evasion offences (Law 87/1994, Law 241/2005), article 323 of the Criminal code, Aggravated theft (article 208-209 of the Criminal code).** Conpet SA has brought the civil motion to the criminal proceedings for the amount of RON 928,785.94 representing the equivalent value of the quantity of stolen crude oil (277 tonnes), of remedial works on the pipes and of laboratory analyses.

**Clarifications:** By **sentence no. 472/December 17<sup>th</sup> 2015**, Constanta Court grants the civil motion filed by the civil party Conpet SA. Ploieşti. It orders the defendants Bivolaru Gabriel, Chihaia Marin, Mangalea Gheorghe, Ahalanei Ioan, Arhire Adrian, Poenaru Marius Ciprian, Boamfa Paul, Meridicos Romeo Ovidiu, Dimofte Petronel, Luca Viorel and Matei Marius Ionut to jointly pay to the civil party Conpet SA. the amount of RON 90,814.50 (the equivalent value of the 30 tonnes of crude oil stolen on May 27<sup>th</sup> 2013). It orders the defendants Bivolaru Gabriel, Chihaia Marin, Mangalea Gheorghe, Ahalanei Ioan, Arhire Adrian, Poenaru Marius Ciprian, Boamfa Paul, Meridicos Romeo Ovidiu, Dimofte Petronel, Luca Viorel and Matei Marius Ionut to jointly pay to the civil party Conpet SA. the amount of RON 93,841.65 (the equivalent value of the 31 tonnes of crude oil stolen on May 31<sup>st</sup> 2013). It orders the defendants Bivolaru Gabriel, Chihaia Marin, Mangalea Gheorghe, Ahalanei Ioan, Arhire Adrian, Poenaru Marius Ciprian, Boamfa Paul, Meridicos Romeo Ovidiu, Dimofte Petronel, Luca Viorel and Matei Marius Ionut to jointly pay to the civil party Conpet SA. the amount of RON 111,027.27 (the equivalent value of the 36 tonnes of crude oil stolen on June 3<sup>rd</sup> 2013). It orders the defendants Bivolaru Gabriel, Chihaia Marin, Mangalea Gheorghe, Ahalanei Ioan, Arhire Adrian, Poenaru Marius Ciprian, Boamfa Paul,



Merdicos Romeo Ovidiu, Dimofte Petronel, Luca Viorel and Matei Marius Ionut to jointly pay to the civil party Conpet SA. the amount RON of 585,977.25 (the equivalent value of the 190 tonnes of crude oil stolen on June 4<sup>th</sup> 2013 and June 5<sup>th</sup> 2013). It orders the defendants Bivolaru Gabriel, Chihaiia Marin, Mangalea Gheorghe, Ahalanei Ioan, Arhire Adrian, Poenaru Marius Ciprian, Boamfa Paul, Merdicos Romeo Ovidiu, Dimofte Petronel, Luca Viorel and Matei Marius Ionut to jointly pay to the civil party Conpet SA. the amount of RON 17,289.32 representing the equivalent value of the decommissioning works of the craft equipment and for bringing the pipe to state before the commitment of unlawful acts. It orders the defendants Bivolaru Gabriel, Chihaiia Marin, Mangalea Gheorghe, Ahalanei Ioan, Arhire Adrian, Poenaru Marius Ciprian, Boamfa Paul, Merdicos Romeo Ovidiu, Dimofte Petronel, Luca Viorel and Matei Marius Ionut to jointly pay to the civil party Conpet SA. the amount of RON 9,576.84 representing the equivalent value of the laboratory analyses, of 17 samples of petroleum product. It notes that the civil party Conpet SA. waived the civil claims of RON 20,268.11 for the unlawful act of August 3<sup>rd</sup> 2013, since the prejudice has been fully recovered. The defendants filed an appeal against the decision.

By **decision no. 675/June 10<sup>th</sup> 2016** Constanta Court of Appeal grants the appeals filed by the Prosecutor's Office attached to the Constanta Court and by the appellants-defendants Bivolaru Gabriel, Chihaiia Marin, Mangalea Gheorghe, Arhire Adrian, Poenaru Marius Ciprian, Boamfa Paul, Luca Viorel, Merdicos Romeo Ovidiu, Dimofte Petronel, Matei Marius Ionut, Ahalanei Ioan and SC Romeo International Service Company SRL Năvodari. It cancels the criminal sentence no. 472/December 17<sup>th</sup> 2015 ordered by the Constanta Court in case of file no. 7932/118/2013 and remands the case for retrial to the Constanta Court.

**Procedural status:** Merits-retrial

**Deadline:** January 18<sup>th</sup> 2017

Probability of granting Conpet motion: 50%

**11. File no. 1862/114/2014 – Buzau Court**

**Parties:** Conpet SA – creditor

Geluval Stor SRL – debtor

**Object:** Conpet SA files the proof of claim requesting the registration of Geluval Stor SRL in the list of creditors with the amount of RON 1,440.90, representing delayed payment penalties due for the payment after the term provided in the contract of the counter-value of 7 invoices issued by Conpet for the services provided according to Contract no. STA 101/20.03.2012 concluded with the defendant, the debtor having the obligation to pay the amount by sentence no. 8867/16.06.2014 delivered by Ploiesti District Court in file no. 109/281/21014, remained final by lack of appeal.

Conpet was registered as Conpet SA in the preliminary list of creditors against debtor Geleval Stor SRL with the amount of RON 1,440.90.

**Procedural status:** Merits

**Hearing:** 14.02.2017

Probability of granting the request of Conpet: 50%



## **12. File no. 6625/120/2013 - Dambovită Court**

**Parties:** Conpet SA – aggrieved party

Dumitru Nica Constantin, Dumitru Nica Gheorghe, Marasescu Marian, Vlada Aurica, Aslan Razvan Aurel, Grigorascu Dominel Ion, Georgescu Anda, Stanca Ion, Constantin Andrei Marius, Maricescu Constantin, Duniag Instal SRL by legal representative Dumitru Nica Gheorghe, Anaver Vila Grup SRL by legal representative Dumitru Nica Gheorghe,

MECMA for Petrotrans SA Ploiesti by Liquidator Rominsolv SPRL - aggrieved party

OMV Petrom SA Asset 6 Central Muntenia - aggrieved party

Bucsanı City Hall - aggrieved party

Șotanga City Hall - aggrieved party

Romtelecom S.A. - South-East Division of operations – Dambovită Centre of telecommunication - aggrieved party

**Object: aggravated theft.** Conpet brought a civil action for the amount of RON 2,083.20, representing the counter-value of 350 million stolen from the pipe Ø 10" F2 Siliste – Ploiesti.

**Procedural status:** Merits

**Hearing:** 18.01.2017

Probability of granting the request of Conpet: 50%

## **13. File no. 4317/105/2014 – Ploiesti Court of Appeal**

**Parties:** Conpet SA – plaintiff

Ploiesti Municipality – Service of Local Public Finances – defendant

**Object:** Conpet brings the action before the administrative court requesting the court to rule through the decision to be delivered:

- cancellation of Decision no. 259/07.05.2014 issued by Ploiesti Municipality - Service of Local Public Finances, by which it was rejected the appeal filed by Conpet against the Taxation decision no. 22271/26.02.2014 and Report of Fiscal Inspection no. 22271/26.02.2014;

- partial cancellation of the Taxation decision no. 22271/26.02.2014, as well as of subsequent documents, namely the findings of the Report of Fiscal Inspection with the consequence of payment exemption of the amount of RON 770.966, representing additional fiscal obligations and of the amount of RON 712.065, representing accessories related to the basic obligation.

**Mentions:** By **sentence no. 825/31.05.2016**, Prahova Court rejects the action as ill-founded. The decision can be appealed with second appeal after communication. Conpet filed the second appeal.

**Procedural status:** Second appeal

**Hearing:** 16.01.2017

Probability of granting the request of Conpet: 10%

## **14. File no. 22494/281/2014 – Prahova Court**



**Parties:** Conpet SA - plaintiff

Cezar Filip Prodimpex - defendant

**Object:** Conpet files the summons requesting the court to rule by the decision to be delivered: obligation of defendant SC Cezar Filip Prodimpex to pay the amount of RON 67,258.87 consisting in court charges incurred by the plaintiff in the case which was the object of file no. 2434./105/2009, procedural status: merits and appeal, the trial on the merits at Prahova Court and the appeal at Ploiesti Court of Appeal

**Mentions:** By **sentence no. 2388/07.03.2016**, Ploiesti District Court partially grants the request. Orders the defendant to pay to the plaintiff the amount of RON 15,000, representing court charges in the first instance, in file 2434/105/2009 of Prahova Court, as lawyer fee and RON 21,264.87, as court charges in the appeal, in file 2434./105/2009 of Ploiesti Court of Appeal, representing RON 10,000 lawyer fee and RON 11,264.87 as stamp duty. It rejects the request concerning the update of the amount to the inflation rate. It rejects the request concerning court charges. The decision was appealed by Conpet SA and Cezar Filip Prodimpex.

**Procedural status:** Appeal

**Hearing:** --

Probability of granting the request of Conpet: 50%

#### **15. File no. 1510/262/2014 – Moreni District Court**

**Parties:** Conpet SA - plaintiff

Pirvu Gheorghe – defendant

Pirvu Nicolae - defendant

Grigorescu Gabriel - defendant

Zlateanu Dragos Marian - defendant

Darmanesti Commune, legally represented by the Mayor of Darmanesti Commune - defendant

SC Nimb Dambovită SA – defendant

**Object:** Conpet files the summons requesting the court to rule by the decision to be delivered the obligation of the defendants to jointly pay to Conpet the amount of RON 34,944.18 as civil compensation – representing the counter-value of remediation works of the pipe and optical fibre cable Link 14, destroyed on 03.06.2011, within the territory of Darmanesti Commune, Dambovită County, works necessary to bring them to the initial state before the act was committed, namely in functional state, amount to which it is added the legal interest starting with the date on which the decision delivered in the case herein remains final and until the date of actual payment; payment of court charges

**Mentions:** By the conclusion from 08.01.2015, Moreni District Court suspends the case judgement in relation to the defendant SC Nimb Dambovită SA. It slits the case concerning the other defendants and the formation of a new file (184/262/2015).

**Procedural status:** Merits – **Suspended**

Probability of granting the request of Conpet: 50%



#### 16. File no. 8285/94/2014\* – Bucharest Court of Appeal

**Parties:** Conpet SA – plaintiff

Marin Dumitru – defendant

Costache Mihaita – defendant

**Object: Aggravated theft.** Conpet brought a civil action in the criminal proceedings for the amount of RON 17,918.50 representing the counter-value of the quantity of 13.1 tons of oil stolen and unrecovered (RON 9,163.87) and remediation works of the damaged pipe, necessary for bringing it to the state before the act was committed, namely in functional state (RON 8,754.63).

**Mentions:** By **sentence no. 180/04.07.2016**, Buftea District Court convicts the defendant Costache Mihăiță to the punishment of 3 years imprisonment for committing the offence of complicity in aggravated theft, it rules the acquittal of the defendant Marin Dumitru concerning the offence of aggravated theft provided by art. 228 par. 1 – 229 par.1 letter b and par. 3 letter a, from the Criminal Code with the application of art. 5 from the Criminal Code. It partially grants the civil action brought by the plaintiff Conpet SA and orders the defendant Costache Mihăiță to pay the amount of RON 8,754.63, as civil compensation, representing material prejudice. The decision was appealed.

**Procedural status:** Appeal

**Hearing:** --

Probability of granting the request of Conpet: 50%

#### 17. File no. 6819/118/2013 – Constanta Court

**Parties:** Conpet SA – creditor

Tobias SRL – debtor

**Object: Bankruptcy.** Conpet S.A. requested the registration in the creditors' group of the debtor with the amount of RON 663 representing the counter-value of 230 kg of aluminium (RON 575) and 110 kg of iron scrap (RON 88), delivered to Tobias SRL on 04.06.2013, according to the waste sale-purchase contract no. 2013/ADM/15.02.2013 concluded between Conpet and Tobias.

The request brought by Conpet was partially granted by the legal administrator, in the meaning that our company was registered in the list of creditors with the debt of RON 643.11, the difference of RON 19.89 representing 3% of the environmental fund and owed to the Environmental Fund Administration.

**Procedural status:** Merits

**Hearing:** 02.03.2017

Probability of granting the request of Conpet: 50%

#### 18. File no. 717/105/2015 - Prahova Court

**Parties:** Conpet SA - creditor

Petrolul Ploiesti SA Football Club - debtor

**Object: Bankruptcy.** Conpet filed the proof of claim requesting the registration in the list of creditors of the debtor Petrolul Ploiesti SA Football Club with the debt of RON 14,465.33. Conpet



was registered in the list of creditors of debtor with the requested amount.

**Mentions:** By sentence no. 821/22.06, Prahova Court grants the request of the legal administrator. It approves the conclusions of the legal administrator report. It rules the beginning of the general bankruptcy procedure of the debtor. It rules the dissolution of the debtor company and termination of the debtor administration right. It rules the sealing of debtor assets and the fulfilment of the other liquidation operations. Subject to appeal within 7 days from communication.

**Procedural status:** Merits

**Hearing:** 02.02.2017

Possibility to recover the debt 50%

#### **19. File no. 11376/281/2015 – Ploiesti District Court**

**Parties:** Conpet SA – plaintiff

Loreto Service SRL – defendant

**Object: Claims.** Conpet filed the summons requesting the court to rule by the decision to be delivered the obligation of the defendant to repay to our company the amount of RON 11,250.02 paid by the plaintiff as compensation and court charges, as well as of the legal interest starting with 28.11.2013 up to date and continuously until the date of actual payment.

**Procedural status:** Merits

**Hearing:** 17.01.2017

Probability of granting the request of Conpet: 50%

#### **20. File no. 13386/3/2015 – Bucharest Court**

**Parties:** Conpet SA – creditor

Perfect Metal SRL – debtor

**Object: Bankruptcy.** Conpet S.A. requested the registration in the creditors' group of the debtor with the amount of RON 221,189.85 representing delayed payment penalties, compensation, interests and court charges.

The request was granted but Conpet was registered in the list in the category of unsecured creditors and not in the category of secure creditors as it would have been the case in the consideration of the content of our registration request in the preliminary list of creditors. Conpet filed an appeal against the preliminary list of creditors, which is the object of file no. 13386/3/201/a1 with hearing on 18.09.2015. By decision no. 7106/18.09.2015, Bucharest Court rejects the appeal as ill-founded.

**Procedural status:** Merits

**Hearing:** 03.03.2017

Possibility to recover the debt 50%

#### **21. File no. 19602/3/2015 – Bucharest Court**

**Parties:** Conpet SA – creditor



Top Birotica SRL – debtor

**Object: Bankruptcy.** Conpet S.A. requested the registration in the creditors' group of the debtor with the amount of RON 2,258.72 representing delayed payment penalties for the delayed delivery of equipment which was the object of contract P-CA 438/17.11.2014.

**Procedural status:** Merits

**Hearing:** 22.03.2017

Possibility to recover the debt 50%

**22. File no. 2899/62/2015 – Brasov Court**

**Parties:** Conpet SA – creditor

Condmag SA - debtor

**Object: Bankruptcy.** Proof of claim of Conpet against the debtor Condmag SA – RON 42,950.85 representing penalties, made of the secured debt of RON 40,927.28 and unsecured debt of RON 2,023.57. Conpet is registered in the list with the requested debt (unsecured debt).

**Procedural status:** Merits

**Hearing:** 28.03.2017

Possibility to recover the debt 50%

**23. File no. 4996/256/2015 – Medgidia District Court**

**Parties:** Conpet SA – plaintiff

Sprivac Florin Alexandru, Rosu Adrian – defendants

**Object: Aggravated theft.** Conpet brought a civil action in the criminal proceedings for the amount of RON 7,647.96 representing the counter-value of the quantity of 200 litres of oil lost following this act (RON 541.33), remediation works of the damaged pipe, necessary to bring it in functional state (RON 4,710.95) and ecological works of the polluted land following the damage (RON 2,395.68).

**Procedural status:** Merits

**Hearing:** 12.01.2017

Probability of granting the request of Conpet: 50%

**24. File no. 15042/212/2015 – Constanta District Court**

**Parties:** Conpet SA – plaintiff

Polifroni Dimu, Safir Marius, Staicu Tudor – defendants

**Object:** Conpet SA brought a civil action in the criminal proceedings, for the amount of RON 156,414.01 representing RON 151,482.42 – counter-value of the quantity of 73.026 kg of oil, RON 2,936.97 as the counter-value of pipe remediation work, necessary for bringing it to the initial state before the act was committed, namely in functional state and RON 1,987.62 as the counter-value of scooping the tanks from farm 3 Mamaia Sat and the former factory SC Munca Ovidiu SA.

**Procedural status:** Merits



**Hearing:** 13.01.2016

Probability of granting the request of Conpet: 50%

**25. File no. 983/281/2016 – Ploiesti District Court**

**Parties:** Conpet SA – plaintiff

Dobrogeanu Dumitru - defendant

**Object:** Conpet SA files the appeal on enforcement against enforcement acts drawn up by the legal executor office of Divoiu Maria in the enforcement file no. 468/2015, as follows:

- Notice from 17.12.2016;
- Summons from 17.12.2015;
- Writ of execution from 17.12.2015
- Decision for establishing legal debt collection fees from 17.12.2015
- Decision for updating to the inflation rate from 17.12.2015

And requests the cancellation of all enforcement acts appealed presented above and the exemption of our company from paying the amount of RON 51,021.54 which is the object of forced execution.

- with court charges

**Procedural status:** Merits

**Hearing:** 18.01.2017

Probability of granting the request of Conpet: 50%

**26. File no. 91/116/2016 – Calarasi Court**

**Parties:** Conpet – plaintiff

Nitu Gh. Nicolae, Stancu N. Alexandru Emilian, Avram Gheorghe, Anton T. Petrisor, Tanase M. Vasile Aurel, Bucur G. Madalin Cristian – defendants

**Object:** Creation of an organized crime group (art. 367 from the New Criminal code) par. 1 from the Criminal code. Conpet SA brought a civil action in the criminal proceedings for the amount of RON 95,243.71 representing the counter-value of lost oil (RON 79,624.98) and remediation works (RON 15,618.73).

**Procedural status:** Merits

**Hearing:** 30.01.2017

Probability of granting the request of Conpet: 50%

**27. File no. 8156/281/2014 – Ploiesti District Court**

**Parties:** Conpet SA – plaintiff

Matei Marinel – claimant in revision

**Object:** Aggravated theft. Revision. Matei Marinel files the motion for revision of the criminal



decision no. 1383/14.10.2013 delivered by Ploiesti Court of Appeal in file no. 19230/281/2011.

**Procedural status:** Merits

**Hearing:** 19.01.2017

Probability of granting the request of Conpet: 50%

**28. File no. 2694/236/2016 - Giurgiu District Court**

**Parties:** Conpet by the legal executor office of Raduta Nicoleta - plaintiff

Conpet - creditor

Stan Remus Constantin - debtor

SC Trans Denimar SRL - garnishee

**Object:** The legal executor office of Raduta Nicoleta filed the motion for validation of garnishment by notice from 22.01.2016 in the enforcement file no. 207/2015 of legal executor office of Raduta Nicoleta, pursuant to the enforceable title - criminal sentence no. 142 from 14.09.2014 delivered by Calarasi Court in file no. 2623/116/2013, on the amounts of money owed or which will be owed by the garnishee Trans Denimar S.R.L, up to the amount of the garnishment, namely RON 17,708.55 made of RON 13,713.49 representing the counter-value of damaged pipe remediation works; RON 2,349.44 representing legal debt collection fees; RON 1,645.62 representing executor fee, amount which includes VAT, with the obligation of the garnishee to transfer the total debit of RON 17,708.55 to which are added costs incurred for execution in the account opened at BCR Izvor Branch on the name of legal executor office of Raduta Nicoleta.

**Mentions:** By the civil sentence no. 7772/16.11.2016, Giurgiu District Court grants the request filed by the legal executor office of Răduță Nicoleta against the debtor Stan Remus Constantin, garnishee Trans Denimar SRL and creditor Conpet SA. It validates the garnishment by the notice from 22.01.2016 in the enforcement file no. 207/2015 for the amount of RON 17,708.55 representing the debit and legal debt collection fees. It orders the garnishee Trans Denimar SRL to pay the creditor Conpet SA in the account of the legal executor office of Răduță Nicoleta, within the limit of the debt, the amount owed to the debtor Stan Remus Constantin, in monthly instalments of 1/3 of the amounts owed to the debtor as rent, according to the contract no. 160/19.02.2008. The decision can be appealed after communication.

**Procedural status:** --

**Hearing:** --

Probability of granting the request of Conpet: 50%

**29. File no. 8115/281/2016 - Ploiesti District Court**

**Parties:** Conpet SA - plaintiff

Dobrogeanu Dumitru - defendant

**Object: Appeal on enforcement.** Conpet files the appeal on enforcement against the Decision from 01.04.2016 drawn up by the legal executor office of Divoiu Maria in the enforcement file no. 468/2015, requesting the court, pursuant to art. 719 from the Civil procedure code, to cancel the decision and our exemption from paying the amount of RON 11,067.41 which is the object of



forced execution.

**Mentions:** It grants the connectedness challenge, invoked ex officio. It rules the joinder of the file herein to the file no. 983/281/2016 of Ploiești District Court.

**Procedural status:** Merits

**Hearing:** 18.01.2017

Probability of granting the request of Conpet: 50%

### **30. File no. 8872/281/2016 – Prahova Court**

**Parties:** Conpet SA – plaintiff

Dobrogeanu Dumitru - defendant

**Object: Appeal on enforcement.** Conpet files the appeal on enforcement against the decision from 11.04.2016 drawn up by the legal executor office of Divoiu Maria in the enforcement file no. 20/2016, requesting the court, pursuant to art. 719 from the Civil procedure code, to cancel the decision and our exemption from paying the amount of RON 7,192.20 which is the object of forced execution.

**Mentions:** By **sentence no. 7828/21.09.2016**, Ploiesti District Court partially grants the appeal on enforcement. It rules the partial cancellation of decision from 11.04.2016 concerning the amount of RON 5.930. It orders the defendant to pay the amount of RON 576 as court charges, representing the stamp duty and counter-value of copies of enforcement file. The decision was appealed by Dobrogeanu Dumitru.

**Procedural status:** Appeal

**Hearing:** 06.02.2017

Probability of granting the request of Conpet: 50%

### **31. File no. 310/120/2016 – Dambovită Court**

**Parties:** Conpet SA – plaintiff

OMV Petrom SA – plaintiff

SNTGN Transgaz SA – plaintiff

Gruia Gheorghe, Vasile Valentin, Ciobanu Viorel, Dudas Pavel, Tudorache Marius, Parvu Valentin, Georgescu Anda, Manda Marin – defendants

**Object: Creation of organized crime group (art. 367 from the New criminal code).** Conpet brought a civil action for the amount of RON 405,536.24, representing the counter-value of stolen pipes.

**Mentions:** By the Conclusion from 31.05.2016, Dambovită Court sends the case to the prosecution office by the indictment in the criminal prosecution file no. 124/D/P/2013 of the Public prosecutor office attached to the High Court of Cassation and Justice – DIICOT (Direction for investigating organized crime and terrorism offences) – Dâmbovița Territorial Office, concerning the defendants G G, V V, C V, D P, T M, P V, G A, M M, aggrieved parties being OMV Petrom SA, Conpet SA, Societatea Nationala de Transport Gaze Naturale “Transgaz” SA. Against the Conclusion, the Public prosecutor office filed an appeal, pending at Ploiesti Court of Appeal. By the conclusion from 13.10.2016, Ploiesti Court of Appeal grants the appeal filed by the Public







prosecutor office attached to the High Court of Cassation and Justice – DIICOT (Direction for investigating organized crime and terrorism offences) – Dâmbovița Territorial Office, it cancels the conclusion appealed and after retrial it determines the legality of Dâmbovița Court notification by indictment no. 124/D/P/2013 of the Public prosecutor office attached to the High Court of Cassation and Justice – DIICOT (Direction for investigating organized crime and terrorism offences) – Dâmbovița Territorial Office, evidence presented and criminal prosecution documents. It rules the beginning of the matter to be judged.

**Procedural status:** Merits

**Hearing:** 04.01.2017

Probability of granting the request of Conpet: 50%

**32. File no. 1539/335/2016 - Videle District Court**

**Parties:** Conpet SA – plaintiff

Calin Ionel – defendant

Stoian Nicolae – defendant

Lungu Alin Andrei – defendant

Cucu Florin – defendant

**Object: Aggravated theft** (art. 228 - art. 229 par. 3 letter b from the Criminal code). In the criminal prosecution phase, Conpet SA brought a civil action for the amount of RON 5,907.04, the counter-value of oil quantities stolen from the pipe Ø 10" Icoana – Cartojani (RON 1,594.52), as well as the counter-value of damaged pipe remediation works, necessary for bringing it to the state before the act was committed, namely to the functional state (RON 4,312.52). Subsequently, Conpet increased the amount for which it brought a civil action to RON 6,388.86 representing the counter-value of oil quantities stolen from the pipe Ø 10" Icoana – Cartojani (RON 2,076.34), as well as the counter-value of damaged pipe remediation works (RON 4,312.52), necessary for bringing it to the state before the act was committed, namely to the functional state. The defendants paid the prejudice transferring in the account of Conpet the amount of RON 5.700 on 23.11.2016 and the amount of RON 689 on 24.11.2016.

**Mentions:** In the Preliminary chamber, by the Conclusion no. 73/23.06.2016, Videle District Court determines the legality of court notification with the indictment no. 1251/P/2015 from 25.04.2016 of the Public prosecutor office attached to Videle District Court, concerning the defendants Călin Ionel, Lungu Alin Andrei, Cucu Florin, Stoian Nicolae, evidence presented and criminal prosecution documents. It rules the beginning of the matter to be judged with respect to them.

By **the criminal sentence no. 140/16.12.2016**, Videle District Court rejects as devoid of purpose the civil action brought by the plaintiff Conpet S.A. by the full payment of prejudice by the defendants Călin Ionel and Stoian Nicolae. The decision can be appealed after communication.

**Procedural status:** --

**Hearing:** --

Probability of granting the request of Conpet: 50%

**33. File no. 1450/214/2016 – Costesti District Court**



**Parties:** Conpet SA – plaintiff

Serban Ilie, Dobre Marin, Naicu Ion Marian – defendants

**Object: Theft.** Conpet brought a civil action for the amount of RON 133,147.97 representing the counter-value of stolen oil quantity, damaged pipe remediation works and DNA expertise carried out in the case.

**Mentions:** By the conclusion from 18.08.2016, Costesti District Court rejects as ill-founded the requests and challenges invoked by the defendants, it determines the competence and legality of court notification, evidence presented and other criminal prosecution documents and it rules the beginning of the matter to be judged. The conclusion was appealed. By the conclusion no. 194/13.10.2016, Arges Court rejects the appeal as ill-founded.

**Procedural status:** Merits

**Hearing:** 27.01.2017

Probability of granting the request of Conpet: 50%

#### **34. File no. 8529/281/2016 – Ploiesti District Court**

**Parties:** Conpet SA – plaintiff

Constantin Costel, Matei Marian, Stan Mihai Catalin, Matei Valentin Dumitru – defendants

**Object: Aggravated theft.** Conpet brought a civil action for the amount of RON 158,780.39 made of:

- RON 24,691.2 (including VAT) representing the counter-value of the quantity of 30.000 litres stolen in the period of September – October 2015 by the defendants Stan Mihai Catalin, Matei Marian and Matei Valentin Dumitru

- RON 128,394.0 (including VAT) representing the counter-value of the quantity of 156.000 litres stolen in the period of September – October 2015 by the defendants Constantin Costel, Stan Mihai Catalin and Matei Marian.

- RON 5,695.19 (including VAT) representing the counter-value of the pipe remediation works, necessary for bringing it to the initial state before the act was committed, namely to functional state.

**Procedural status:** Merits

**Hearing:** 21.02.2017

Probability of granting the request of Conpet: 50%

#### **35. File no. 6444/105/2013 – Ploiesti Court of Appeal**

**Parties:** Conpet SA – plaintiff

Arelco Power SRL - defendant

**Object: Claims.** Conpet SA files the summons requesting the court that by the decision to be delivered to order the defendant to pay the amount of RON 267.302 representing damages according to art. 15.2 from contract no. P-CA 393 concluded on 13.12.2010, damages justified by the non-fulfilment of its obligation to provide electrical energy, according to this contract.



Subsidiarily, in the case of rejection of main claim, Conpet requests the obligation of the defendant to pay the amount of RON 145,722.97 representing damages according to art. 13.1 par. 1 from the contract no. P-CA 393 concluded on 13.12.2010, damages justified by the non-fulfilment of its obligation to provide electrical energy, according to this contract.

Subsequently, Conpet increased its claims requesting:

The obligation of the defendant Arelco Power S.R.L. to pay to Conpet S.A. the amount of RON 530,096.11 representing damages according to art. 15.2. from the contract no. P-CA 393 concluded with the plaintiff on 13.12.2010, damages justified by the non-fulfilment of its obligation to provide electrical energy in the period 01.11.2011 (date of electrical energy provision interruption by the defendant) – 25.06.2012 (termination date by Conpet of contract no. PCA 393/13.12.2010), according to this contract.

Subsidiarily, if the main claim is rejected, Conpet requests the obligation of the defendant Arelco Power S.R.L. to pay to Conpet S.A. the amount of RON 288,055.97, representing damages according to art.13.1. par. (1) from the same contract, namely the contract no. P-CA 393 concluded with the plaintiff on 13.12.2010, damages justified by the non-fulfilment of its obligation to provide electrical energy in the period 01.11.2011 (date of electrical energy provision interruption by the defendant) – 25.06.2012 (termination date by Conpet of contract no. PCA 393/13.12.2010), according to this contract.

**Mentions:** By **sentence no. 1281/09.06.2015**, Prahova Court grants the summons exactly as formulated. It orders the defendant to pay the plaintiff the amount of RON 530,096.11 as damages. It orders the defendant to pay the plaintiff the amount of RON 14.300 as court charges representing the stamp duty, judicial stamp and expert fee. The decision was appealed by Arelco Power SRL.

SC Arelco Power SRL files the motion for change of venue, which was the object of file 3953/1/2015 pending at the High Court of Cassation and Justice. By the conclusion no. 2316/11.11.2015 of the High Court of Cassation and Justice, it rejects the motion for change of venue of the case which is the object of file no. 6444/105/2013, pending at Ploiești Court of Appeal.

By **decision no. 188/21.03.2016**, Ploiești Court of Appeal rejects the appeal as ill-founded. It orders the calling party to the defendant the amount of RON 500 lei, as court charges.

SC Arelco Power SRL filed the motion for revision which is the object of file no. 417/42/2016 pending at Ploiești Court of Appeal.

**Procedural status:** Revision

**Hearing:** 25.01.2017

Probability of granting the request of Conpet: 50%

**36. File no. 12009/281/2016 – Ploiesti District Court**

**Parties:** Conpet SA – plaintiff

National Environmental Guard – Prahova County Commissariat

**Object:** Complaint of violation. Conpet files the complaint against the record of findings and subsequent penalties pertaining to contravention series A B no. 05446 concluded on 20.05.2016 by the National Environmental Guard - Prahova County Commissariat and requests the court to



admit the complaint, to cancel the record and to exempt our company from paying the fine and subsidiarity to replace the fine with a warning.

**Mentions:** By sentence no. 10244/15.12.2016, Ploiesti District Court admits the complaint. It cancels the record series AB no. 05446/20.05.2016. It rules the reimbursement to the plaintiff of the amount of RON 12.500 lei, paid as fine. The decision can be appealed after communication.

**Procedural status:** --

**Hearing:** --

Probability of granting the request of Conpet: 50%

### **37. File no. 4968/317/2016 – Targu Carbunesti District Court**

**Parties:** Conpet SA – plaintiff

Bumbu Constantin Daniel, Roncea Stefan Laurentiu, Elena Ionut Gabriel, Roncea Ionut Catalin, Roncea Eugen, Preda Stefan Cristian, Roncea Constantin Robert, Bumbu Florin Ionut – defendants

Roncea Constantin, Roncea Aurica, Bumbu Florian, Bumbu Doina – responsible parties in the civil lawsuit

**Object: Theft.** Conpet S.A. brought a civil action in the criminal file no. 1080056/2016 for the amount of RON 11,202.22, representing the counter-value of materials and works necessary for restoring the pipe route with the length of 36.2 m stolen by the defendants, works necessary for bringing it to the state before the act was committed, namely to the functional state, the pipe stolen with the counter-value of RON 7,178.04 being recovered by our company.

**Mentions:** By conclusion no. 182/14.11.2016, Targu Carbunesti District Court determines the regularity of the indictment no. 195/P/2016 from 7.10.2016 of the Public prosecutor office attached to Tg-Cărbunești District Court, evidence presented and criminal prosecution documents. It rules the beginning of the matter to be judge concerning the defendants.

**Procedural status:** Merits

**Hearing:** 12.01.2017

Probability of granting the request of Conpet: 50%

### **38. File no. 8902/256/2016 – Medgidia District Court**

**Parties:** Conpet SA – plaintiff

Spirea Geon, Enache Noris, Panait Petre – defendants

**Object: Aggravated theft.** Conpet SA brought a civil action for the amount of RON 6,361.52 representing the counter-value of damaged pipe remediation works, necessary to bring it to the state before the act was committed, namely to the functional state.

**Procedural status:** Preliminary chamber

**Hearing:** 23.01.2017

Probability of granting the request of Conpet: 50%

### **39. File no. 8262/281/2016 – Ploiesti District Court**



**Parties:** Conpet SA – creditor

Conpet Football Club Association - debtor

**Object: Dissolution of legal entity.** Proof of claim. Conpet SA files the proof of claim on the assets of the debtor Conpet Football Club Association, against which it was ruled the dissolution by the Civil sentence no. 8683/04.10.2016 delivered by Ploiesti District Court in file no. 8262/281/2016, by which it requests the court to grant the motion for registration in the creditors' group of debtor Conpet Football Club Association with the amount of RON 424.94, as uncontested, liquid and enforceable debt, formed prior to granting the dissolution request, representing outstanding penalties, according to invoice no. 1653/31.05.2015, calculated for the delayed payment of obligations arising from the Lease contract no. ADM 366/23.10.2012, concluded by Conpet SA with Conpet Football Club Association.

**Procedural status:** Merits

**Hearing:** --

Probability of granting the request of Conpet: 50%

#### **40. File no. 25027/281/2016 – Ploiesti District Court**

**Parties:** Conpet SA – plaintiff

CNADNR (ROMANIAN NATIONAL COMPANY OF MOTORWAYS AND NATIONAL ROADS) - defendant

**Object:** Conpet filed the complaint of violation against the record of findings pertaining to the contravention series R16 no. 0500581/12.10.2016, drawn up by officer who issued the fine, Remus George Radulescu within CESTRIN (Centre of Traffic Technical Studies and Computer Science), with the control authorization no. 0813 and requests the court to admit the complaint of violation and consequently to cancel the record of findings pertaining to the contravention, series R16 no. 0500581/12.10.2016 and the exemption from the payment of the civil fine.

**Procedural status:** Merits

**Hearing:** --

Probability of granting the request of Conpet: 50%

#### **41. File no. 8216/270/2016 – Onesti District Court**

**Parties:** Conpet – plaintiff

Comuna Dofteana – defendant

**Object: Appeal on enforcement.** Conpet filed the appeal on enforcement requesting the court:

- to cancel the document called enforceable title no. 14962/12.12.2016
- to cancel the summons no. 14961/12.12.2016, as well as the other enforcement documents drawn up by the defendant.

**Procedural status:** Merits

**Hearing:** --

Probability of granting the request of Conpet: 50%



**d) List of completed files - 2016**

**1. File no. 7849/311/2015 – Slatina Court**

**Parti:** Conpet SA – petitioner

The Public Prosecutor's Office attached to Slatina Court – respondent

**Subject:** Complaint art. 340 New Criminal Procedure Code

**Disclaimer:** By sentence no. 5/13<sup>th</sup> January 2016 Slatina Court rejects the complaint filed by the petitioner Conpet SA, as late filed. Maintains the solution of the Ordinance of the Prosecutor's Office attached to Slatina Court no. 4045/P/2011 of 17<sup>th</sup> July 2015, as legal and thorough. Based on art. 275 par. 2 Criminal Procedure Code obliges the petitioner to pay the amount of 100 lei legal costs advanced by the state.

**2. File no. 9205/311/2015 – Slatina Court**

**Parties:** Conpet SA – petitioner

The Public Prosecutor's Office attached to Slatina Court

**Subject:** Complaint art. 340 New Criminal Procedure Code

**Disclaimer:** By sentence no. 1/ 7<sup>th</sup> January 2016, admits the complaint filed by the petitioner Conpet S.A. Abolishes the Ordinance of waiver of criminal prosecution no. 5040/P/2013 of 7<sup>th</sup> August 2015 and the Ordinance no. 280/II/2/2015 of 26<sup>th</sup> October 2015. Decides sending the case to the prosecutor to complete the prosecution.

**3. File no. 3091/281/2015 – Ploiesti Court of Appeal**

**Parti:** Conpet – petitioner

Berbec N. Paun Sorin – claimant in revision

Maicanescu Alexandru Macedon - respondent

**Subject:** Aggravated theft. Revision. Matei Marinel formulates request for review of the criminal sentence no. 1275/17<sup>th</sup> April 2014 pronounced by the Court of Ploiesti in the file no. 28758/281/2011.

**Disclaimer:** By sentence no. 2310/9<sup>th</sup> December 2015 Ploiesti Court rejects, in principle, as inadmissible, the request for review filed by the claimant in revision Berbec N. Paun Sorin, regarding the criminal sentence no. 1275/17<sup>th</sup> April 2014 of the Court of Ploiesti definitive by the criminal decision no. 1017/23<sup>rd</sup> October 2014 of the Court of Appeal of Ploiesti. The decision was appealed by Berbec N. Paun Sorin.

By decision no. 247/25<sup>th</sup> February 2016 the Court of Appeal of Ploiesti rejects, as unfounded, the appeal of the convict claimant in revision Berbec Păun Sorin, against the criminal sentence no. 2310/9<sup>th</sup> December 2015 pronounced by the Court of Ploiești.



#### **4. File no. 20825/281/2014 – Prahova Tribunal**

**Parties:** Conpet SA - petitioner

National Environmental Guard Prahova County Commissioner's Office – respondent

**Subject:** Conpet files complaint against the finding and sanctioning Minute of the contravention series AA no. 11785 concluded by the National Environmental Guard – Prahova County Commissioner's Office, by its employee Popescu Ion, on 22<sup>nd</sup> May 2014, act which we consider unfounded and unlawful requesting the court: the annulment of this act. Alternatively, transforming the civil sanction in "warning".

**Disclaimer:** By sentence no. 1274/30<sup>th</sup> January 2015 the Court of Ploiesti rejects the complaint as unfounded. Maintains the minute series AA no.11785 of 22<sup>nd</sup> May 2014 as legal and thoroughly. The decision was appealed by Conpet.

By Decision no. 428/17<sup>th</sup> February 2016 Prahova Tribunal rejects the appeal as unfounded.

#### **5. File no. 2479/281/2015 – Ploiesti Court**

**Parties:** Conpet – civil party

Draghici M. Mirica – defendant

**Subject:** Aggravated theft. Conpet brought a civil action for the amount of 3,327.22 lei representing the value of the reparation works of the damaged pipe.

**Disclaimer:** By sentence no. 2331/11<sup>th</sup> December 2015 Ploiesti Court accepts the civil action exerted by the civil party Conpet S.A. and obliges the defendant to pay the amount of 3,327.22 lei by way of material damage. Draghici M. Mirica has paid the amount to which he was obliged by the court.

#### **6. File no. 132/229/2012 – Bucharest Court of Appeal**

**Parties:** Conpet S.A. counter-defendant

Zacon Trandafir – plaintiff-defendant

**Subject: Obligation to provide.** Zacon Trandafir files summons asking:

- to order Conpet issue the fiscal invoice on the name of the plaintiff for the amount of 800 lei, representing the value of the building located in Fetesti, Calarasi Street, building 25A, 4<sup>th</sup> floor, ap. 9, Ialomita County, acquired based on the sales and purchase contract no. 1047/3<sup>rd</sup> February 1999, concluded with Conpet;

- to order Conpet pay the legal expenses

At the same time, Conpet S.A. has filed a Counterclaim against the plaintiff Zacon Trandafir for by the decision to be pronounced by the court, the same is obliged:

1. To leave us in the free and undisturbed possession of the building apartment no. 19,



located in the Municipality of Fetesti, Calea Calarasi Street, building 25 A, 4<sup>th</sup> floor, Ialomita County (former address Fetesti Municipality, Armatei Street, building P 1, ap. 19, Fetesti-Gara, Ialomita County), that we were dispossessed of and

2. to pay the legal expenses consisting of the legal stamp duty and the legal stamp.

**Disclaimer:** By sentence no. 1755/24<sup>th</sup> September 2014 Fetesti Court rejects the main claim.

Rejects the counterclaim. The decision has been appealed by Conpet SA and Zacon Trandafir.

By decision no. 1200/10<sup>th</sup> December 2015 Ialomita Tribunal rejects as unfounded the appeal declared by the plaintiff-defendants appellants. Rejects as unfounded the appeal declared by the plaintiff-defendant appellant Conpet S.A. Rejects the claim of plaintiffs appellants Zacon Ligia and Zacon Trandafir ordering the respondent Conpet S.A. to pay the legal expenses.

The decision has been appealed by Conpet SA.

By Decision no. 284/21<sup>st</sup> March 2016 Bucharest Court of Appeal rejects the appeal as unfounded. Orders the appellant to pay the amount 1.000 lei representing legal expenses to the respondents.

## **7. File no. 5519/315/2013 – Dambovita Tribunal**

**Parties:** Conpet SA – counter-defendant

Popescu Floarea – plaintiff-defendant

**Subject: Obligation to provide.** Popescu Floarea files summons asking the court that by the decision to be pronounced by the same to order Conpet decommission the pipeline that crosses the land its property located on the road DJ 712 Targoviste – Pucioasa, near Targoviste Municipality, in section Camp – Teis, and where this is not possible to pay damages.

The plaintiff has quantified its claims to the amount of 114,376 lei, representing:

- the equivalent of corn/alfalfa harvest that would have got from the cultivation of the land, amounting 26.376 lei;
- the equivalent of the lack of use of the land in order to make a house, amounting 88,000 lei.

Conpet filed counterclaim asking the court to order the plaintiff to allow Conpet exercise the legal easement right imposed by the provisions of art. 7 and the following of the Law no. 238/2004 on the land property of the plaintiff and establish the annual rent amount.

**Disclaimer:** By sentence no. 3506/15<sup>th</sup> October 2015 Targoviste Court rejects the exception of the statute of limitations. Partially accepts the main claim, as amended and ordered Conpet to pay the plaintiffs:

- 425 lei, representing the equivalent of the alfalfa harvest for the land of 241 sqm, during 2011-2015;
- 17,247.51 lei representing the equivalent of the lack of use of the land of 437 sqm, in order to erect a building;
- 85 lei annual rent for the land of 241 sqm starting 2016;



-1,388.62 lei representing legal expenses.

The mentioned counterclaim was accepted and ordered the plaintiff:

- to allow the access of Conpet on the aisle of 241 sqm identified by the audit report.

Conpet appealed. It was rejected by the Tribunal of Dambovită by decision no. 243/9<sup>th</sup> March 2016. The decision has been appealed by Conpet. By decision no. 243/9<sup>th</sup> March 2016 Dambovită Tribunal rejects the appeal.

**OBSERVATION:** CONPET has paid the plaintiff the amounts mentioned above on the basis of the real offer of payment through the bailiff.

## **8. File no. 2980/281/2014 – Ploiesti Court**

**Parties:** Conpet – plaintiff

Bailiff's Office Goslan – respondent

**Subject:** Conpet appeals against enforcement of all acts of enforcement prepared by Bailiff's Office Goslan Mihai in the file no. 710/2013 asking the court to order through its decision: - the annulment, partially, of the forced execution regarding the amount of 5,322.93 lei; to abolish, partially, the notification of 20<sup>th</sup> January 2014, by which we were notified of the legal seizure of the company;

- Conclusion no.710 of 20<sup>th</sup> January 2014;

- Summons of 20<sup>th</sup> January 2014;

- Letter of 20<sup>th</sup> January 2014, requesting the written communication of the income and goods belonging to the company;

- Notice of 20<sup>th</sup> January 2014, on the garnishment of accounts that the company owns at banking units;

- Garnishment orders of 20<sup>th</sup> January 2014, issued to garnishees Raiffeisen Bank, Romanian Commercial Bank, BRD-GSG

in order to reduce the amount for which the forced execution was started of the amount of 51,506.95 lei, representing the main flow and foreclosure expenses amounted to 46,184.02 lei, representing the main flow and expenses of foreclosure, the difference between the two amounts i.e. 5,322.93 lei representing the values of the foreclosure expenses disputed by our society. Basically, we request the reduction of foreclosure expenses of the amount of 7,243.65 lei including VAT to the amount of 1,920.93 lei including VAT.

- to order:

- either the annulment of the:

- Notice of 20<sup>th</sup> January 2014, by which we were informed of the legal seizure of the company;

- Conclusion no.710 of 20<sup>th</sup> January 2014;

- Summons of 20<sup>th</sup> January 2014;

- Letter of 20<sup>th</sup> January 2014, requesting the written communication of the income and goods



belonging to the company;

- Notice of 20<sup>th</sup> January 2014, on the garnishment of accounts that the company owns at banking units;

- Garnishment orders of 20<sup>th</sup> January 2014, issued to garnishees Raiffeisen Bank, Romanian Commercial Bank, BRD-GSG

for the amount of 5,322.93 lei representing foreclosure expenses.

-or the amendment of the:

Notice of 20<sup>th</sup> January 2014, by which we were informed of the legal seizure of the company;

- Conclusion no.710 of 20<sup>th</sup> January 2014 ;

- Summons of 20<sup>th</sup> January 2014;

- Letter of 20<sup>th</sup> January 2014, requesting the written communication of the income and goods belonging to the company;

- Notice of 20<sup>th</sup> January 2014, on the garnishment of accounts that the company owns at banking units;

- Garnishment orders of 20<sup>th</sup> January 2014, issued to garnishees Raiffeisen Bank, Romanian Commercial Bank, BRD-GSG

in order to reduce the amount for which the forced execution was started of the amount of 51,506.95 lei, representing the main flow and foreclosure expenses amounted to 46,184.02 lei, representing the main flow and expenses of foreclosure, the difference between the two amounts i.e. 5,322.93 lei representing the values of the foreclosure expenses disputed by our society. Basically, we request the reduction of foreclosure expenses of the amount of 7,243.65 lei including VAT to the amount of 1,920.93 lei including VAT. – legal expenses

- legal expenses.

**Disclaimer:** By sentence no. 2064/13<sup>th</sup> February 2015 Ploiesti Court accepts, partially, the appeal against enforcement. Cancels, partially, the conclusion no. 710/20<sup>th</sup> January 2014, and the subsequent documents issued by Bailiff's Office Goslan Mihai in the enforcement file no. 710/2013, as it reduces the fee of the lawyer from the amount of 1500 lei to the amount of 500 lei, and the fee of the bailiff from the amount of 5488.65 lei to the amount of 4426.33 lei, following to maintain the value of the other enforcement expenses. Orders the respondent to pay the appellant the amount of 111 lei, representing the equivalent of the enforcement file copy, by way of legal costs. The decision has remained final since no appeal entered.

## **9. File no. 13578/281/2015 – Ploiesti Court of Appeal**

**Parties:** Conpet SA – civil party

Toncu Cristian Madalin – defendant

Toma Liviu Georgian – defendant

**Subject:** Conpet SA brought a civil actin for the amount of 6,259.07 lei, representing the equivalent of the reparation works of the damaged pipeline, works needed to set it in operation again, the quantity of 3,000 liters of crude oil (5,945.17 lei) found on the defendants being



recovered.

**Disclaimer:** By sentence no. 2396/15<sup>th</sup> December 2015 Ploiesti Court rejects the civil action exercised by the aggrieved party CONPET S.A., as unfounded. The decision was appealed by Conpet.

By decision no. 286/3<sup>rd</sup> March 2016 the Court of Appeal of Ploiesti rejects as unfounded the appeal declared by the civil party Conpet S.A, Based on art. 275 par. 2 Criminal Procedure Code orders the appellant civil party to pay the amount of 200 lei by way of legal expenses to the state.

#### **10. File no. 5216/204/2008\*/a1\* – Ploiesti Court of Appeal**

**Parties:** Dobrogeanu Dumitru and Dobrogeanu Paun Ioan – plaintiffs-defendants

Conpet S.A. – counter-defendant

**Subject:** Dobrogeanu Dumitru and Dobrogeanu Paun Ioan orders the defendant:

- to decommission the pipelines and related installations, installed on the land our property and install such pipelines and installations on an corrdior (aisle) along and near the access roads (DN1), and in case of refusal to pay damages, compensations
- to pay the equivalent of the lack of use (rent) of the land occupied by pipelines and related installations for transporting oil products and the protection zones along the pipelines crossing our land, starting with 2006 at the price of the area, equivalent to the annual rent
- to pay the equivalent of the losses incurred by us, the plaintiffs, because of the inability to achieve economic objectives, according to the urbanism certificate no. 80/2006 and established by the General Urban Plan (PUG) and the Zonal Urbanistic Plan (PUZ), land in area of about 5.00 ha, constructions, located on DN1 Bucharest - Brasov, with an opening of 400 liniear meters.
- to pay the damages (lack of use) of an area of land of about 12500 sqm degraded when installing the pipelines and installations, by reducing the degree of soil fertility
- to pay the legal expenses

CONPET S.A. filed a counterclaim requesting the establishment of an easement right over the field owned by the plaintiff consisting of the use right of an area of 2,4 linear meters, placed along the pipelines crossing the field, having as symmetry axis each pipeline.

**Disclaimer:** By sentence no. 2444/12<sup>th</sup> October 2011 the court accepts the restricted action filed by the plaintiffs. Admits the counterclaim filed by the defendant. Orders Conpet to pay the plaintiffs the amount of 1,789,174 lei representing the value of lack of use for the area occupied by pipelines and related installations of petroleum products transportation and the safety zone along the pipelines during the period 12<sup>th</sup> December 2005 – 12<sup>th</sup> December 2008, the amount of 718,975 lei representing the value of lack of usage for the same area in 2009, and the annual payment of the equivalent of the lack of use in the amount of 718,975 lei, starting 2010. Orders Conpet to pay the plaintiffs the amount of 243,600 lei representing the value of the losses incurred by the plaintiffs because of the inability to achieve the economic objectives, on the land in area of 2,04 ha, located on DN1, km 79 + 500. Orders the plaintiffs to allow the defendant exercise the right of legal easement provided by art. 7 of the Law no. 238/2004, on the land in area of 45,104 sqm, identified according with the topographical expertise report eng. Andreescu



Florin. Orders Conpet to pay the plaintiff Dobrogeanu Dumitru the amount of 39,679 lei legal expenses. The sentence was appealed by Conpet S.A.

By decision no. 302/3<sup>rd</sup> May 2012 Prahova tribunal admits the appeal. Cancels the appealed sentence and postpones the case for judgement on merits.

By decision no. 433/25<sup>th</sup> June 2014, Prahova Tribunal, by evoking the merits following the annulment of the civil sentence no. 2444/12<sup>th</sup> October 2011 given by the Court of Cămpina, by the civil decision no. 302 of 3<sup>rd</sup> May 2012 pronounced by Prahova Tribunal, by which was admitted the appeal declared by the appellant defendant SC Conpet SA and postponing the case for judgement: Admits the second head of the counterclaim filed by the defendant and consequently: Orders the plaintiffs to allow the defendant SC Conpet SA, the Access on the field in area of 1927 mp, on an aisle of 2,4 linear meters placed along the pipelines on the land having as symmetry axis in vertical plane each pipeline. Orders the defendant to pay the plaintiffs an annual rent according to I variant of the expertise report agro-engineer Voinea Adina, performed in appeal, of 262 lei. Orders the plaintiffs to pay the defendant the amount of 18252 lei legal expenses, rest after clearing the fees of the topographical expert. This decision was appealed by the plaintiffs.

By decision no. 314/19<sup>th</sup> March 2015 Ploiesti Court of Appeal rejects the appeal as unfounded. Orders the appellant to pay the respondent the amount of 6,189 lei by way of legal expenses.

Dobrogeanu Dumitru has filed a revision claim of the civil decisions no. 302/3<sup>rd</sup> May 2012 and 433/25<sup>th</sup> June 2014 pronounced by Prahova Tribunal.

By sentence no. 3318/10<sup>th</sup> December 2015 Prahova Tribunal rejects the revision claim as unfounded. Orders the appellants to jointly pay 6.646 lei legal expenses, to the respondent. The decision was appealed by Dobrogeanu Dumitru and Dobrogeanu Paun Ioan.

By decision no. 185/19<sup>th</sup> May 2016 Ploiesti Court of Appeal admits the appeals. Partially amends the decision as requiring the appellants to jointly pay 1000 lei legal expenses to the respondent. Otherwise maintains the provisions of the decision. Admits, partially, the claim ordering the payment of the legal expenses on appeal. Orders the appellants to pay 1000 lei legal expenses to the respondent representing the fees of the lawyer on appeal.

## **11. File no. 3979/105/2015 – Ploiesti Court of Appeal**

**Parties:** Conpet – defendant

Sandu Alexandru – plaintiff

**Subject:** The plaintiff files writ of summons requesting the reimbursement of the amount of 181,737.32 lei recorded at CEC, the receipt being at the disposal of the Tribunal of Prahova, representing the difference between the amount over which was constituted the distraint (279,950 lei – recorded at CEC) in the file 5516/105/2012, completed in 2014 and the amount which was enforced by the Bailiff's Office Divoiu (98,212.68 lei) at the request of Conpet.

**Disclaimer:** By sentence no. 2137/8<sup>th</sup> September 2015 Prahova Tribunal rejects the lack of passive capacity to stand trial, invoked by the defendant. Rejects the claim as unfounded. The decision was appealed by Conpet and Sandu Alexandru.

By decision no. 1231/30<sup>th</sup> May 2016 Ploiesti Court of Appeal finds the nullity of the



appeals for non-declaration within the specified term.

## **12. File no. 25050/281/2011 – Prahova Tribunal**

**Parties:** Conpet S.A. – plaintiff

Rafinaria Astra Romana SA – defendant

**Subject: Declaratory action.** Conpet S.A. files summons requesting:

1. to declare the ownership of Conpet over two 2 buildings constructed by Conpet on the land owned by SC Rafinaria Astra Romana SA;
2. to establish in favor of Conpet an easement right over the land belonging to the defendant, land located in Ploiesti, 59<sup>th</sup> Petrolului Avenue, consisting in the right of Conpet to pass the land to the defendant for the use and utility of the two buildings;
3. to establish in favour of Conpet a right of superficies over the land owned by SC Rafinaria Astra Romana SA, land located in Ploiesti, 59<sup>th</sup> Petrolului Avenue, consisting of the right of use of the land areas occupied by the two buildings belonging to Conpet.

**Disclaimer:** By sentence no. 3406/12<sup>th</sup> March 2015 Ploiesti Court admits the lack of passive capacity to stand trial of the Refinery Astra Română SA. Rejects the claim as being brought against a person, lacking passive capacity to stand trial. Admits the exception of the late submission of the claim amending the main claim. Rejects the amending claim as being late submitted. The decision was appealed by Conpet.

By decision no. 52/8<sup>th</sup> April 2016 Ploiesti Court of Appeal rejects the appeal as unfounded.

## **13. File no. 113/281/2014 – Ploiesti Court**

**Parties:** Conpet SA – plaintiff

ICIM SA – defendant

**Subject: Claims.** Conpet has filed a summons requesting the court, through the decision given, to order:

1. the defendant to pay the amount of 33,597.76 lei representing the amount that was required to be paid to us by the act entitled "Minutes of negotiation", the amount resulted following the negotiation between Conpet and ICIM of the equivalent of the reparation works of the damage caused to us by the defendant on 13<sup>th</sup> September 2012, on the pipeline Ø 6" RA Moreni – Ploiesti in the area Petrom Aricesti Deposit and the crude oil lost on this occasion.
2. the defendant to pay the interests related to the main flow, from the due date (8<sup>th</sup> December 2012) and until the full pay of the flow
3. the defendant to pay the legal costs

**Disclaimer:** By sentence no. 1014/28<sup>th</sup> January 2015 Ploiesti Court admits the mentioned claim. Orders the defendant to pay the amounts of 33,597.76 lei representing the equivalent of the reparation works of the damage of the pipeline O 6 RA Moreni-Ploiesti and the crude oil lost and 5338 lei legal interest calculated until 14<sup>th</sup> November 2014. Orders the defendant to pay the legal interest of 15<sup>th</sup> November 2014 until the full pay of the flow. Orders the defendant to pay the



legal expenses amounting 2,585 lei stamp duty and expert fee. The decision remained final by non-appeal.

**NOTE:** Conpet requested the forced execution of the defendant at the bailiff for the amounts mentioned above.

#### **14. File no. 4055/311/2014 - Slatina Court**

**Parties:** Conpet SA - plaintiff

Neacsu Ioana - defendant

Neacsu Marian - defendant

**Subject:** Conpet files a summons against Neacsu Ioana and Neacsu Marian (heirs Neacsu Ion Lucian) asking the court that by its decision to order the defendants proceed to the full reparation in nature of the damage suffered by the infringements of the deceased consisting of the scraping and degradation of a portion of the crude oil transport pipeline 10 3/4" Icoana - Cartojani. If the defendants do not fulfil their obligation to bring the pipeline to the initial state, the company to be authorized to proceed at the performance of the necessary reparation works on the expense of the defendants.

**Disclaimer:** By Sentence no. 1092/5<sup>th</sup> February 2016 Slatina Court acknowledges the withdrawal of the claim filed by the plaintiff. Acknowledges that there were not requested legal expenses. The decision remained final by lack of appeal.

#### **15. File no. 26354/281/2014 - Prahova Tribunal**

**Parties:** Conpet SA - plaintiff

OF SYSTEMS SRL - defendant

**Subject:** Conpet files a summons requesting the court that by its decision to order: the defendant OF SYSTEMS SRL to pay the amount of 21,945.00 lei representing penalties applied for the failure to comply with the clauses of the product supply contract no. P-CA 245 of 9<sup>th</sup> July 2014.

**Disclaimer:** By sentence no. 5707/4<sup>th</sup> May 2015 Ploiesti Court rejects the statute of limitations, invoked by the defendant, as unfounded. Rejects the claim, as unfounded. The decision was appealed by Conpet.

By decision no. 1055/28<sup>th</sup> April 2016 Prahova Tribunal rejects the appeal as unfounded.

#### **16. File no. 9874/256/2014 - Constanta Tribunal**

**Parties:** Conpet SA - petitioner

National Environmental Guard - Constanta County Commissioner's Office - respondent

**Object: Complaint of violation.** Conpet files complaint against the finding and sanctioning Minute of the contravention series AA, no. 09048 concluded by the National Environmental Guard - Constanta County Commissioner's Office, requesting the annulment of this document and the exemption of our company from the payment of the fine (90,000 lei), Alternatively we have



requested the replacement of the fine with the sanction „warning”.

**Disclaimer:** By sentence no. 754/5<sup>th</sup> June 2015 Medgidia Court admits, partially, the complaint. Replaces the civil fine with the sanction of warning. The decision was appealed by the National Environmental Guard – Constanta County Commissioner's Office.

By decision no. 1043/12<sup>th</sup> May 2016 Constanta Tribunal admits the appeal. Changes, partially, the appealed sentence, as it: Reduces the sanction of the civil fine applied to the amount of 50,000 lei.

#### **17. File no. 24383/212/2014 – Constanta Court of Appeal**

**Parties:** Conpet SA – civil party

Suin Oncer si altii – defendants

**Subject:** Aggravated theft. Conpet brought a civil action for the amount of 4,320.64 lei, representing the equivalent of the reparation works of the damaged pipeline.

**Disclaimer:** By sentence no. 1185/19<sup>th</sup> October 2015 Constanta Court admits, partially, the civil action exercised by Conpet SA. Orderd the defendants Lupu Ion, Murtaza Edwin, Suin Oncer, Bondarencu Mihai and Cicorschi Laurentiu, jointly, to pay the civil party the amount of 4,320.64 lei, plus the legal interest starting with the date of the final decision and until the full payment of the flow, the remaining damage (5,605.26 lei) being recovered by the return of the oil product (2,000 l). The defendants have appealed.

By decision no. 731/24<sup>th</sup> June 2016 Constanta Court of Appeal rejects as unfounded the appeals submitted by the defendants Lupu Ion, Bondarencu Mihai, Suin Oncer and Murtaza Edwin.

#### **18. File no. 18074/212/2015 – Constanta Tribunal**

**Parties:** Conpet SA – appellant

The Public Service of Taxes of Constanta

**Subject:** Conpet files appeal against the forces execution started by the City Council of Constanta Municipality – the Public Service of Taxes of Constanta by Summons no. P155921/29<sup>th</sup> May 2015, received by Conpet SA on 25<sup>th</sup> June 2015, Enforceable Title no. P114861/29<sup>th</sup> May 2015 and the Enforceable Title no. C552143/29<sup>th</sup> May 2015 requesting the cancellation of the forced execution, the cancellation of the summons and the enforceable titles mentioned above.

**Disclaimer:** By civil sentence no. 15681/22<sup>nd</sup> December 2015 Constanta Court admits the appeal to the enforcement presented by the appellant CONPET SA. Orders the cancellation of the enforceable title no. P114861/29<sup>th</sup> May 2015, of the enforceable title no. C552143/29<sup>th</sup> May 2015 and the summons no. P155924/29<sup>th</sup> May 2015 issued by the respondent in the file of forced execution H49073/2/2015. Orders the return to the appellant, on the date of this final decision, of the judicial stamp duty amounting 408 lei. Rejects the claim of the respondent to order the appellant pay the legal expenses as unfounded. The decision was appealed by the Public Service of Taxes of Constanta.

By decision no. 1547/20<sup>th</sup> July 2016 Constanta Tribunal rejects the appeal as unfounded.



**19. File no. 1984/281/2016 – Ploiesti Court**

**Parties:** Conpet SA – appellant

Dobrogeanu Dumitru - respondent

**Subject:** Conpet SA files appeal to enforcement against the acts of enforcement prepared by Bailiff's Office Divoiu Maria in the enforcement file no.20/2016, as follows:

- The conclusion of establishing the enforcement expenses of 15<sup>th</sup> January 2016;
- The summons of 15<sup>th</sup> January 2016;
- The conclusion of elimination of 19<sup>th</sup> January 2016
- The garnishment notice of 19<sup>th</sup> January 2016

And requires:

1. The partial annulment of the summons of 15<sup>th</sup> January 2016 regarding:

- the flow related to this. We require the reduction of this flow with the value of our payment obligation to the creditor Dobrogeanu Dumitru which was extinguished by the actual payment offer no. 946/11<sup>th</sup> January 2016 made by the same bailiff Divoiu Maria. Consequently, we require the reduction of the flow from the amount of 64,982.41 lei (representing: 56804.56 lei the lack of use for 2015; 4026.78 lei the amount resulted as the consequence to the flow update of 53.116 lei for 2013; 4151.07 lei the amount resulted as a consequence to the flow update of 53.116 lei for 2014) to the amount of 8,366 lei

representing the difference diferenta between 64,982.41 lei and the amount of 56,616 lei) as effect of the actual payment offer for the amount of 56,616 lei.

- the value of the bailiff's fee. We request the reduction of the bailiff's fee in proportion to that part of our payment obligation to the creditor Dobrogeanu Dumitru which was extinguished by the actual payment offer no.946/11<sup>th</sup> January 2016 made by the same bailiff Divoiu Maria. The fee following to be established based on the amount of 8,366 lei.

2. The partial annulment of the conclusion of establishing the enforcement expenses of 15<sup>th</sup> January 2016 namely that part regarding the bailiff's fee with that part of our payment obligation to the creditor Dobrogeanu Dumitru which was extinguished by the actual payment offer no.946/11<sup>th</sup> January 2016 made by the same bailiff Divoiu Maria. The fee following to be established based on the amount of 8,366 lei.

3. The total annulment of the conclusion of 19<sup>th</sup> January 2016 by which it has been ordered the release of the amounts because, as we shall show the release of the amount has been made abusively under the forced execution instead of being done under the actual payment offer no. 946/11<sup>th</sup> January 2016.

4. the total annulment of the letter of 19<sup>th</sup> January 2016 by which the bailiff Divoiu Maria ordered the establishment of garnishment over the amounts recorded in the file of the actual payment offer no.2/2016.

5. the total annulment of the garnishment notice of 19 January 2016 by which the measure of garnishment was taken over the amounts recorded in the actual payment offer no.2/2016 until the payment of the amount of 71977.49 lei.



- with legal expenses.

**Disclaimer:** By sentence no. 4630/10<sup>th</sup> May 2016 Ploiesti Court rejects the late submission of the appeal against enforcement. Admits lack of passive capacity to stand trial of the respondent Bailiff's Office Divoiu Maria. Rejects the appeal against enforcement filed by Conpet S.A. in contradiction with the respondent Bailiff's Office Divoiu Maria as being introduced against a person lacking passive capacity to stand trial. Admits, in part, the appeal against enforcement. Cancels, in part, the enforcement acts of the forced execution file no. 20/2016 of Bailiff's Office Divoiu Maria regarding the value of the foreclosed amount and, consequently shall order the amendment of all enforcement acts, in terms of the foreclosed amount, as this amounts 8,366 lei. Orders the amendment of the conclusion of establishing the enforcement expenses and all subsequent enforcement documents, in terms of the value of bailiff's fee, as it shall amount 836 lei instead of 6,539.36 lei. Maintains the rest of the enforcement documents. The decision remained final by lack of appeal.

## **20. File no. 2785/105/2008 – Ploiesti Court**

**Parties:** Edizol S.A. – plaintiff

Conpet S.A. – defendant

**Subject:** Edizol S.A. requires to order Conpet S.A. pay an anual rent, related to the last 3 years, following the exercise by the defendant of the legal easement right on the land owned by the plaintiff in total area of 6,924 sqm located inside Petrobrazi, Brazi village, Prahova County, generated by the existence of two pipelines belonging to the plaintiff company. The claims of the plaintiff were provisionally quantified to the amount of 57.024 lei. According to the real estate assessment expertise the plaintiff quantified its claims to the amount of 95,572 lei and further 31,824 lei/year requesting to order Conpet pay these amounts.

**Disclaimer:** By sentence no. 16226/28<sup>th</sup> November 2014 Ploiesti Court rejects lack of the passive capacity to stand trial of the defendant SC Conpet SA, invoked by the same as unfounded. Admits the lack of the passive capacity to stand trial of the defendant the Romanian State by the Public Finance Ministry, invoked by the same. Rejects the action presented by the plaintiff SC Edizol SA in contradiction with the defendant the Romanian State by the Public Finance Ministry as being filed against a person lacking passive capacity to stand trial. Admits the lack of passive capacity to stand trial of the defendant the General Directorate of Public Finance of Prahova, invoked by the same. Rejects the action filed by the plaintiff SC Edizol SA in contradiction with the defendant the General Directorate of Public Finance of Prahova as being filed against a person lacking passive capacity to stand trial. Rejects the lack of passive capacity to stand trial of the defendant the National Agency for Mineral Resources, invoked by the same as unfounded. Rejects the action as unfounded. Orders the plaintiff SC Edizol SA to pay the defendant Conpet SA the legal expenses amounting 2,100 lei representing the expert's fee. The decision remained final by lack of appeal.

**NOTE: Conpet pays nothing.**

## **21. File no. 52/281/2016 – Ploiesti Court**

**Parties:** Conpet – respondent

Toncu Stefan – appellant



**Subject:** Toncu Stefan files appeal against enforcement of forced execution subject of the enforcement fie no. 462/2015 – Bailiff's Office Divoiu Maria.

By criminal sentence 142 pronounced on 15th September 2014 in the file 2623/116/2013 Calarasi Tribunal has pronounced the following resolution on the civil side:

- orders the defendants Ionita Gheorghe Aurel, Nistor Tiberiu, Toncu Stefan, jointly, and the same jointly with the defendants Poteras Cristinel and Dragan Gheorghe, according to the criminal sentence no. 212/29<sup>th</sup> November 2013 pronounced by Calarasi Tribunal in the file 2037/116/2013 to pay the amount of 81,530.22 lei representing 79,624.98 lei the value of crude oil stolen on 17<sup>th</sup> /18<sup>th</sup> April 2013 and 22<sup>nd</sup> /23<sup>rd</sup> April 2013 on the pipeline Lascar Catargiu – Independenta and 1,905.24 the value of the reparation works of the damaged pipelines.
- orders the defendants Ionita Gheorghe Aurel, Nistor Tiberiu and Stan Remus-Constantin, jointly, and the same jointly with the defendant Poteras Cristinel, according to the criminal sentence no. 212/29<sup>th</sup> November 2013 pronounced by Calarasi Tribunal, in the criminal file no. 2037/116/2013, to pay the amount of 13,713.49 lei, representing the value of the reparation works of damaged pipelines following the action of 11<sup>th</sup> October 2012, in the area Baraganu-Calareti, Paicu, Nicolae Balcescu village.
- orderd the defendants Toncu Stefan and Ionita Gheorghe Aurel, jointly, and the same jointly with the defendants Poteras Cristinel and Simion Constantin, jointly, according to the criminal sentence no.212/29<sup>th</sup> November 2013, to pay the amount of 74,947.46 lei, representing 58,200.49 lei, the value of the quantity of 18.7 tons of crude oil stolen on 13<sup>th</sup> /14<sup>th</sup> May 2013 on the pipeline Baraganu- Onesti and 16,746.97 lei the value of the reparation works of damaged pipelines following the action on 14<sup>th</sup> /15<sup>th</sup> June 2013

Whereas the aforementioned debtors have not paid the amounts due, Conpet S.A started the procedure of forced execution to all its debtors, according to the residence of each one of them.

**Disclaimer:** By sentence no. 4096/22<sup>nd</sup> April 2016 Ploiesti Court admits the non-payment of the judicial fee of the forced execution suspension claim. Cancels the suspension claim of the forced execution as the judicial fee was not paid. Admits the non-payment of the judicial fee of the appeal against execution. Cancels the appeal against execution as the judicial fee was not paid. The decision remained final by lack of appeal.

## **22. File no. 25148/281/2013 – Ploiesti Court of Appeal**

**Parties:** Conpet SA - plaintiff

Confind SRL - defendant

**Subject: Claims.** Conpet SA files writ of summons by which it requires the court, by its decision, to order the defendant pay the following amounts:

- 166,227.10 lei representing damages according to art. 19.1 letter b of the execution contract of works and design services no. L-CA 2 of 4<sup>th</sup> April 2010 concluded between Conpet and Confind, as a result of the contract termination;

- 4,429.54 lei representing legal expenses.

**Disclaimer:** By decision no. 5323/22<sup>nd</sup> April 2015 Ploiesti Court admits the motion to dismiss for



lack of jurisdiction of the Court of Ploiești, invoked by default. Declines the jurisdiction for the resolution of the claim in favour of the Tribunal of Prahova –II Civil Division, of administrative and fiscal matters. Without means of appeal.

By sentence no. 376/17<sup>th</sup> March 2016 Prahova Tribunal admits, in part, the summons. Orders the defendant to pay the plaintiff the amount of 150,602.25 lei, by way of compensation, according to art. 19 par.1 letter b of the execution contract of works and design services no. L-CA 2 of 4<sup>th</sup> January 2010. Returns the plaintiff the amount of 3,903.54 lei, representing the judicial stamp duty paid in addition. The decision was appealed by Conpet and Confind.

By decision no. 1930/24<sup>th</sup> November 2016 Ploiesti Court of Appeal rejects both appeals, as unfounded.

### **23. File no. 14544/280/2014 – Arges Tribunal**

**Parties:** Conpet SA- plaintiff

Lavi Star 2007 – defendant

**Subject:** Conpet files writ of summons requesting the court that by its decision to order the defendant pay the amount of 13,182.82 lei representing civil compensation and pay the legal expenses in the amount of 764,1 lei.

**Disclaimer:** By sentence no. 3522/22<sup>nd</sup> April 2015 Pitesti Court rejects the action. The decision has been appealed by Conpet.

By decision no. 2486/8<sup>th</sup> September 2016 Arges Tribunal rejects the appeal as unfounded. Rejects the claim of the legal expenses required by the respondent.

### **24. File no. 184/262/2015 – Dambovita Tribunal (split of the file no. 1510/262/2014)**

**Parties:** Conpet SA - plaintiff

Pirvu Gheorghe – defendant

Pirvu Nicolae - defendant

Grigorescu Gabriel - defendant

Zlateanu Dragos Marian - defendant

Darmanesti Village, legally represented by the Mayor of Darmanesti Village - defendant

**Subject:** Conpet files writ of summons requesting the court that by its decision to order the defendants, jointly pay to Conpet the amount of 34,944.18 lei by way of civil compensation - representing the equivalent of the reparation works of the pipeline and the optical fiber cable Link 14, destroyed on 3<sup>rd</sup> June 2011, in Darmanesti village, Dambovita county, works necessary to bring them back to the initial state before the action was performed, namely in operation state, amount plus the legal interest from the date of the final decision pronounced in this case until the date of the actual payment; the payment of legal expenses.

**Disclaimer:** By sentence no. 97/4<sup>th</sup> February 2016 Moreni Court admits the lack of passive quality to stand trial of Darmanesti Village, legally represented by the Mayor of Darmanesti Village. Admits the action for the other parties. The decision has been appealed by Conpet SA and the



defendants: Pirvu Gheorghe, Pirvu Nicolae, Grigorescu Gabriel and Zlateanu Dragos Marian

By decision no. 1260/18<sup>th</sup> November 2016 Dambovitza Tribunal cancels the appeal declared by the defendants Pirvu Gheorghe, Pirvu Nicolae, Grigorescu Gabriel and Zlateanu Dragos Marian as the judicial fee was not paid. Rejects the appeal of Conpet.

## **25. File no. 677/281/2015 – Ploiesti Court**

**Parties:** Conpet SA – civil party

Gheorghe E. Daniel, Gheorghe I. Ionut Liviu, Buga T. Florin – defendants

**Subject:** Theft. Conpet brought a civil action for the amount of 12,988.86 lei representing the equivalent of the reparation works of the damaged pipeline (material, labor, transport), necessary to bring it in operation state, the 6 tubes stolen being recovered.

**Disclaimer:** By sentence no. 971/20<sup>th</sup> May 2015 Ploiesti Court admits the civil action exercised by the civil party Conpet S.A and shall order the defendants, jointly, to pay the amount of 12,988.86 lei by way of damage. The decision has remained final by lack of appeal.

## **26. File no. 1742/281/2015 – Prahova Tribunal**

**Parties:** Conpet – appellant

Dobrogeanu Dumitru – respondent

**Subject:** Conpet files appeal against enforcement of all documents of enforcement prepared by the Bailiff's Office Goslan Mihai in the enforcement file no. 1296/2014, as follows:

- The notice of 22<sup>nd</sup> December 2014, received by Conpet SA on 14<sup>th</sup> January 2015, by which we were informed of the foreclosure of the company;
- The conclusion no. 1296 of 22<sup>nd</sup> December 2014;
- The summons of 22<sup>nd</sup> December 2014;
- The letter of 22<sup>nd</sup> December 2014, requesting the written communication of income and goods belonging to the company;
- The notice of 22<sup>nd</sup> December 2014, on the garnishment measure over the accounts the company owns at the banking units;
- The conclusion of 17<sup>th</sup> December 2014 admitting the claim presented by the creditor Dobrogeanu Dumitru and approving the foreclosure against our company.
- The garnishment orders of 22<sup>nd</sup> December 2014, issued to the garnishees: • Raiffeisen Bank, • Romanian Commercial Bank, • BRD-GSG;
- The orders of the Bailiff's Office Goslan Mihai of 14<sup>th</sup> January 2015 to the garnishees on the reduction of the values of the amount garnished;- the notice of the Bailiff's Office Goslan Mihai of 14<sup>th</sup> January 2015 to Conpet on the reduction of the value of the ganirshed amount.

We require the court:

1. To order the annulment (cancellation), in part, of the forced execution regarding the amount of



6,805.92 lei.

2. To cancel:

- the notice of 22<sup>nd</sup> December 2014, received by Conpet SA on 14<sup>th</sup> January 2015, by which we were informed of the forced execution of the company;- the conclusion no. 1296 of 22<sup>nd</sup> December 2014;

- the summons of 22<sup>nd</sup> December 2014;- the letter of 22<sup>nd</sup> December 2014, requesting the written communication of the income and goods belonging to the company;

- the notice of 22<sup>nd</sup> December 2014, on the garnishment measure over the accounts owned by the company at the banking units;

- the conclusion of 17<sup>th</sup> December 2014 admitting the claim presented by the creditor Dobrogeanu Dumitru and approving the forced execution against our company.- The garnishment orders of 22<sup>nd</sup> December 2014, issued to the garnishees: • Raiffeisen Bank, • Romanian Commercial Bank, • BRD-GSG,

- the orders of the Bailiff's Office Goslan Mihai of 14<sup>th</sup> January 2015 to the garnishees on the reduction of the value of the garnished amount;- The notice of the Bailiff's Office Goslan Mihai of 14<sup>th</sup> January 2015 to Conpet on the reduction of the value of the garnished amount.

to reduce the value of the amount for which started the forced execution from the amount of 59,921.92 lei, representing the main flow and forced execution expenses to the amount of 53,116.00 lei, representing the main flow, the difference between the two amounts namely 6,805.92 lei being represented by the enforcement expenses appealed by our company. Basically, we request the cancellation of the forced execution expenses.

3. To order under the conditions of art. 719 Civil Procedure Code:

- either the cancellation of:

- the notice of 22<sup>nd</sup> December 2014, received by Conpet SA on 14<sup>th</sup> January 2015 by which we were informed of the forced execution of the company;- the conclusion no. 1296 of 22<sup>nd</sup> December 2014;

- the summons of 22<sup>nd</sup> December 2014;- the letter of 22<sup>nd</sup> December 2014, requesting the written communication of the income and goods belonging to the company;

- the notice of 22<sup>nd</sup> December 2014, on the garnishment measure over the accounts owned by the company at the banking units;

- the conclusion of 17<sup>th</sup> December 2014 admitting the claim presented by the creditor Dobrogeanu Dumitru and approving the forced execution against our company.- The garnishment orders of 22<sup>nd</sup> December 2014, issued to the garnishees: • Raiffeisen Bank, • Romanian Commercial Bank, • BRD-GSG

- the orders of the Bailiff's Office Goslan Mihai of 14<sup>th</sup> January 2015 to the garnishees on the reduction of the value of the garnished amount;- The notice of the Bailiff's Office Goslan Mihai of 14<sup>th</sup> January 2015 to Conpet on the reduction of the value of the garnished amount.

for the amount of 6,805.92 lei representing the forced execution expenses.

- or the amendment of:

- the notice of 22<sup>nd</sup> December 2014, received by Conpet SA on 14<sup>th</sup> January 2015 by which we



were informed of the forced execution of the company;- the conclusion no. 1296 of 22<sup>nd</sup> December 2014;

- the summons of 22<sup>nd</sup> December 2014; - the letter of 22<sup>nd</sup> December 2014, requesting the written communication of the income and goods belonging to the company;

- the notice of 22<sup>nd</sup> December 2014, on the garnishment measure over the accounts owned by the company at the banking units;

- the conclusion of 17<sup>th</sup> December 2014 admitting the claim presented by the creditor Dobrogeanu Dumitru and approving the forced execution against our company.- The garnishment orders of 22<sup>nd</sup> December 2014, issued to the garnishees: • Raiffeisen Bank, • Romanian Commercial Bank, • BRD-GSG

-the orders of the Bailiff's Office Goslan Mihai of 14<sup>th</sup> January 2015 to the garnishees on the reduction of the value of the garnished amount;- The notice of the Bailiff's Office Goslan Mihai of 14<sup>th</sup> January 2015 to Conpet on the reduction of the value of the garnished amount.

in order to reduce the value of the amount for which was started the forced execution from the amount of 59,921.92 lei, representing the main flow and forced execution expenses to the amount of 53,116.00 lei, representing the main flow and forced execution expenses, the difference between the two amounts namely the amount of 6,805.92 lei being represented by the forced execution expenses appealed by our company. Basically, we request the cancellation of the forced execution expenses.

#### 4. Legal expenses.

**Disclaimer:** By sentence no. 526/21<sup>st</sup> January 2016 Ploiesti Court rejects the appeal against enforcement as unfounded. The decision has been appealed by Conpet SA.

By decision no. 1572/3<sup>rd</sup> November 2016 Prahova Tribunal rejects the appeal as unfounded.

### 27. File no. 14901/281/2015 – Ploiesti Court

**Parties:** Conpet SA – petitioner

CNADNR SA – respondent

**Subject:** Conpet SA files complaint against the finding Minute of the contravention Series R15 no. 0163630/13<sup>th</sup> July 2015 by the Romanian National Company of Motorways and National Roads S.A. – Center of Road technical Studies and Computer Science document considered to be unfounded and illegal and requires its cancellation.

**Disclaimer:** By sentence no. 12376/2<sup>nd</sup> November 2015 Ploiesti Court admits the complaint. Cancels the appealed minute and removes the applied sanctions on merits. Acknowledges that legal expenses are not required. The decision has remained final by lack of appeal.

### 28. File no. 2707/223/2010\*\* – Brasov Tribunal

**Parties:** Conpet SA – counter-defendant

Sandulescu Ion – plaintiff – defendant



Ploiești to pay the plaintiffs legal expenses totalling 5,177.97 lei. The decision has been appealed by the plaintiffs -defendants. Change of venue was filed, object of the file no. 2455/1/2016. On 27<sup>th</sup> September 2016 the High Court of Cassation and Justice has admitted the change of venue and ordered sending the file to Brasov Tribunal.

By decision no. 359/19<sup>th</sup> December 2016 Brasov Tribunal rejects the appeal presented by Sandulescu Ion and Sandulescu Ioana against the civil sentence no. 467/23<sup>rd</sup> March 2016 of the Court of Drăgășani. Admits the appeal presented by S.C. CONPET S.A. against the same sentence, partially amending it as: Orderd the defendant to pay the plaintiffs the amount of 765 lei by way of annual rent, related to 2009 – 2015. Rejects the rest of the pecuniary claims of the plaintiffs. Orders the defendant to pay the plaintiffs the amount of 128.7 lei by way of partial legal expenses. Orders the plaintiffs to pay the defendant the amount of 2,053.79 lei by way of partial legal expenses. Maintains the rest of the dispositions of the appealed sentence. Orders the respondents-plaintiffs to pay the counter-defendant the amount of 262.5 lei by way of legal expenses in this appeal.

## **29. File no. 7485/315/2015 – Dambovita Tribunal**

**Parties:** Conpet – defendant

Amuza Daniel – plaintiff

**Subject:** Amuza Daniel files writ of summons requesting the court to order Conpet SA pay the amount of 200,000 lei representing damages.

**Disclaimer:** By sentence no. 1574/15<sup>th</sup> April 2016 Targoviste Court rejects as unfounded the lack of active capacity to stand trial of the plaintiff, invoked by the defendant. Rejects as unfounded the lack of passive capacity to stand trial of the defendant invoked by this party. Rejects as unfounded statute of limitations invoked by the defendant. Rejects as unfounded the claim presented by the plaintiff Amuza Daniel. The decision may be appealed after the communication.

Disclaimer: By sentence no. 1574/15<sup>th</sup> April 2016 Targoviste Court rejects as unfounded the lack of active capacity to stand trial of the plaintiff, invoked by the defendant. Rejects as unfounded the lack of passive capacity to stand trial of the defendant invoked by this party. Rejects as unfounded statute of limitations invoked by the defendant. Rejects as unfounded the claim presented by the plaintiff Amuza Daniel in contradiction with the defendant S.C. CONPET S.A. Orders that the legal stamp duty of 5105 lei to remain in the responsibility of the state. The decision has been appealed by Amuza Daniel.

By decision no. 1364/21<sup>st</sup> December 2016 Dambovita Tribunal rejects the appeal as unfounded.

## **30. File no. 2391/232/2015 – Ploiesti Court of Appeal**

**Parties:** Conpet SA – civil party

Ivan Nicolae Sorin – defendant

Deaconu Adrian – defendant

**Subject:** Aggravated theft. Conpet brought a civil action for the amount of 1.849,63 lei



Sandulescu Ioana - plaintiff - defendant

**Subject: Claims.** Sandulescu Ion files writ of summons requiring to order Conpet S.A. and Energopetrol S.A, jointly, to pay the amount of **15.000 lei** representing the equivalent of the lack of use of the land in area of 2499.43 sqm, located in Dragoesti village, "Picatura" section, Valcea County by carrying out works regarding its crossing by the related installations of the Cathodic Protection Station, without the consent of the owners. Requires and orders the defendants to remove the entire installation on the land, and to bring the land in the initial state or to authorize bringing it to the initial state on the expense of the defendants, and legal expenses.

Conpet SA has filed counterclaim requesting the establishment of an easement right over the land of the plaintiffs on which is located a cathodic protection station and the establishment of the annual rent.

Also, Conpet SA files a claim against a third party of SC Compania Energopetrol SA Campina because in case Conpet shall enter pleas unsuccessfully the same shall be ordered to compensate us with the amounts we shall be ordered to pay to the plaintiffs by way of lack of use of the land.

**Disclaimer:** By sentence no. 3032/12<sup>th</sup> October 2012 Dragasani Court rejects the lack of passive capacity to stand trial of Conpet SA, admits the lack of passive capacity to stand trial of Compania Energo Petrol SA, rejects the lack of active capacity to stand trial of plaintiffs Sandulescu Ion and Sandulescu Ioana, rejects the lack of passive capacity to stand trial of the Romanian State represented by the National Agency for Mineral Resources, admits the lack of passive capacity to stand trial of the Romanian State represented by the Finance Ministry, rejects the counterclaim filed by Conpet, rejects the claim of showing the holder of the right filed by the defendant in contradiction with the Romanian State represented by the Public Finance Ministry and by the National Agency for Mineral Resources, admits, in part, the action of the plaintiffs, orders Conpet to pay the plaintiffs the lack of use of the land area of 142.56 sqm on the **last three years (2009 – 2012) totalling 6,843 lei**, acknowledges that the plaintiffs give up the II head of the main claim, orders Conpet to pay the plaintiffs legal expenses totalling 2,215 lei. The decision has been appealed by Conpet.

Conpet filed a change of venue subject of the file no. 54/1/2013 pending before the High Court of Cassation and Justice. By conclusion no.1034/27<sup>th</sup> February 2013 the High Court of Cassation and Justice admits the claim filed by the petitioner Conpet SA requiring the change of venue of the case subject to file no. 2707/223/2010 of Vâlcea Tribunal. Changes the venue of the case from Vâlcea Tribunal, to Arad Tribunal. Keeps the procedural acts performed by the court before the change of venue.

By decision no. 877/20<sup>th</sup> June 2013 Arad Tribunal admits the appeal, partially quashes the sentence and therefore sends the case for rejudging the main action and the counterclaim.

By decision no. 2371/11<sup>th</sup> November 2013 Dragasani Court sends the case to Arad Tribunal.

On 17<sup>th</sup> December 2013 Arad Tribunal finds the negative conflict of jurisdiction, informs the High Court of Cassation and Justice. On 25<sup>th</sup> February 2014 the High Court of Cassation and Justice establishes the jurisdiction of the case in favour of Dragasani Court.

By sentence no. 467/23<sup>rd</sup> March 2016 Dragasani Court admits, in part, the main action as it was mentioned. Rejects the counterclaim. Orders the defendant to pay the plaintiffs the lack of use of the land area of 142.56 sqm during 2009 - 2012 and 2013-2015 totalling 8,511 lei. Rejects the head of claim regarding the demolition of the installations. Orders the defendant Conpet SA



representing the equivalent of the reparation works of the damaged pipeline.

**Disclaimer:** By criminal sentence no. 2072/13<sup>th</sup> October 2016 Gaesti Court acknowledges that the damage caused to the civil party Conpet SA in the amount of 1849.63 lei was paid by the defendant Ivan Nicolae Sorin (receipt no. 2098/7<sup>th</sup> September 2016). The decision has been appealed by the defendants.

By criminal decision no. 1425/7<sup>th</sup> December 2016 Ploiesti Court of Appeal rejects as unfounded the appeal presented by the defendants.

### **31. File no. 1032/116/2016 – Bucharest Court of Appeal– (split of File no. 91/116/2016)**

**Parties:** Conpet – civil party

Nitu Gh. Nicolae, Stancu N. Alexandru Emilian, Avram Gheorghe, Tanase M. Vasile Aurel,

Bucur G. Madalin Cristian – defendants

**Subject:** Setting up an organized criminal group (art. 367 New Criminal Code) par.1 Criminal Code Conpet SA brought a civil action for the amount of 95,243.71 lei representing the equivalent of the lost crude oil (79,624.98 lei) and the reparation works (15,618.73 lei).

**Disclaimer:** By sentence no. 69/5<sup>th</sup> August 2016 Calarasi Tribunal admits the claim for civil damages filed by the civil party CONPET SA Ploiești. Acknowledges that part of the damage was covered by the reimbursement of the quantity of 33,180 kg crude oil (the action from Paicu of 12<sup>th</sup> October 2012). Orders, jointly, the defendants Stancu Alexandru Emilian, Avram Gheorghe and Nițu Nicolae to pay the amount of 13,713.49 lei representing the equivalent of the reparation works of the damages of the pipelines in the area Bărăganu-Călăreți, Paicu, Nicolae Bălcescu village (following that the defendants respond, jointly, in the limit of this amount with the defendants Ioniță Gheorghe Aurel, Nistor Tiberiu, Stan Remus Constantin – according to the criminal sentence no.142/15<sup>th</sup> September 2014 pronounced by Călărași Tribunal in the file no.2623/116/2013 and with the defendant Poteraș Cristinel – according to the criminal sentence no.212/28<sup>th</sup> November 2013 pronounced by Călărași Tribunal in the file no.2037/116/2013). Orders, jointly, the defendants Stancu Alexandru Emilian and Tănase Vasile-Aurel, to pay to the civil party the amount of 81,530.22 lei representing the damage produced by the actions from Independența – Slobozia Conachi, Galați County, of 17<sup>th</sup> /18<sup>th</sup> April 2013 and 22<sup>nd</sup> / 23<sup>rd</sup> April 2013 (following that the defendant respond, jointly, in the limit of this amount with the defendants Ioniță Gheorghe Aurel, Nistor Tiberiu, Toncu Ștefan – according to the criminal sentence no.142/15<sup>th</sup> September 2014 pronounced by Călărași Tribunal in the file no.2623/116/2013 and with the defendants Poteraș Cristinel and Drăgan Gheorghe – according to the criminal sentence no.212/28<sup>th</sup> November 2013 pronounced by Călărași Tribunal in the file no.2037/116/2013). The defendants have appealed.

By criminal decision no. 1881/16<sup>th</sup> December 2016 Bucharest Court of Appeal rejects as unfounded the appeals presented by the defendants.

### **32. File no. 3440/105/2016 – Prahova Tribunal**

**Parties:** Conpet – defendant

Sandu Alexandru – plaintiff



**Subject:** The plaintiff files writ of summons requesting the reimbursement of the amount of 181.737,32 lei recorded at CEC, the receipt being at the disposal of Prahova Tribunal, representing the difference between the amount over which was constituted the distraint (279.950 lei - recorded at CEC) in the file 5516/105/2012, completed in 2014 and the amount which was enforced by the Bailiff's Office Divoiu (98,212.68 lei) at the request of Conpet.

**Disclaimer:** By conclusion of 24<sup>th</sup> August 2016 Prahova Tribunal rejects the lack of the passive capacity to stand trial of the defendant Conpet SA invoked by the same by statement of defense. Rejects the exception of the case law invoked by the defendant Conpet SA by statement of defense. Admits the claim. Orders the raise of the distraint established over the amount 181,737.32 lei according to the receipt CE no. 835610/1 of 2<sup>nd</sup> March 2010 (receipt series TA no. 1627080 of sheet 129 vol. VII - prosecution file) at the disposal of Prahova Tribunal. The decision remained final by lack of appeal.

## **HEAD OF THE LEGAL, REGULATED ACTIVITIES DEPARTMENT**

**Jurist Anamaria Dumitrache**

## **HEAD OF THE LEGAL SERVICE**

**Legal Advisor Vasile Geantă**



I, the undersigned, ROXANA FURCOIU, certified translator for English, Italian, Spanish and German, registered with No. 11644/2010 by the Ministry of Justice, certify the accuracy of the translation from Romanian into English and its conformity to the text I supervised.

Translator  
FURCOIU ROXANA

